

# Maplewood School

Residential Development  
Gloucester Development Team, Inc.

**Project Site:**  
Former Maplewood School  
120 Maplewood Avenue  
Gloucester, MA 01930

**Client:**  
Gloucester Development Team, Inc.  
58 Middle Street  
Gloucester, MA 01930

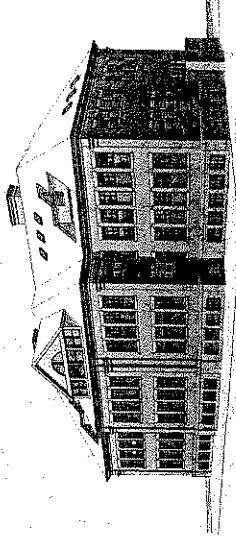
**Architect:**  
Kontseptual, Inc.  
10 Derby Square, Garden Suite NB  
Salem, MA 01970

**Landscape Designer:**  
Walker Creek Garden Design  
19 R. Walker Street  
Gloucester, MA 01930

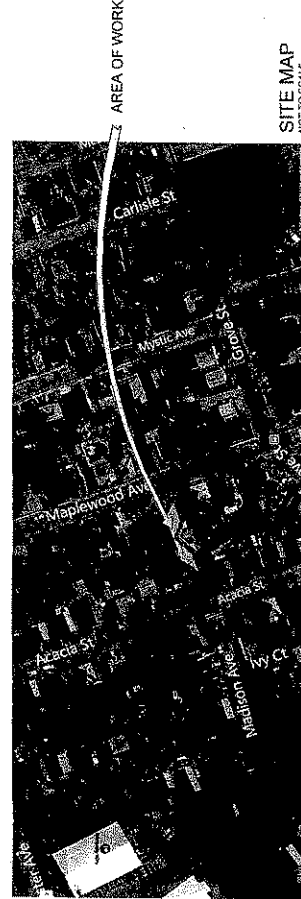
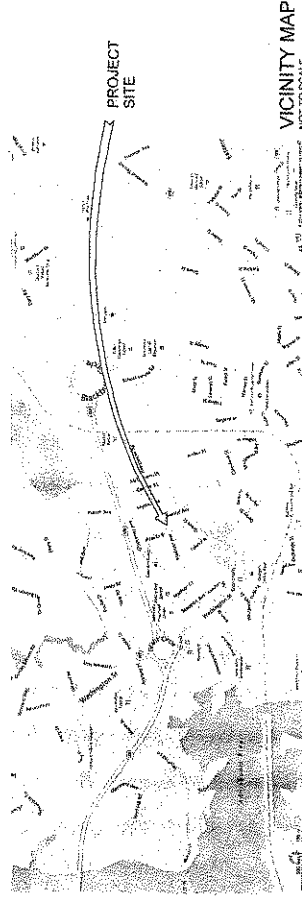
**Structural Engineer:**  
McBrie, LLC Structural Design & Sales  
160 Sylvan Street  
Danvers, MA 01923

**Mechanical Engineer:**  
Sun Engineering Inc.  
491 Maple Street, Suite 209  
Danvers, MA 01923

**Civil Engineer:**  
Mill River Consulting  
6 Sargent Street  
Gloucester, MA 01930

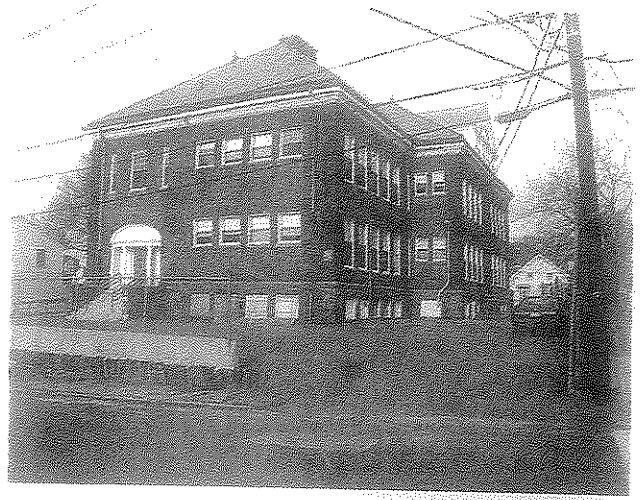


① PERMIT SET PERSPECTIVE FROM MAPLEWOOD AVE

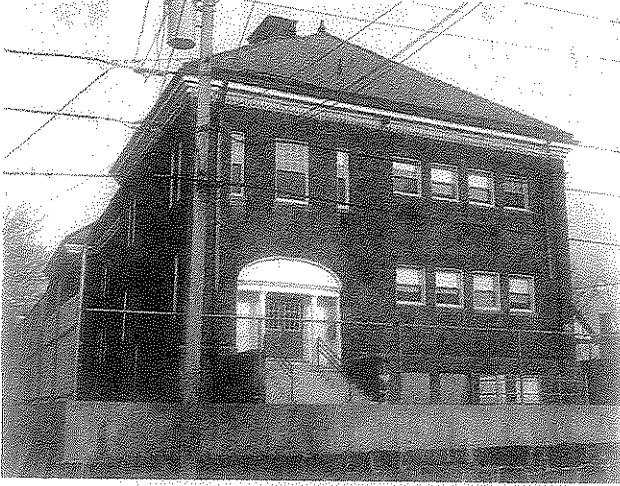




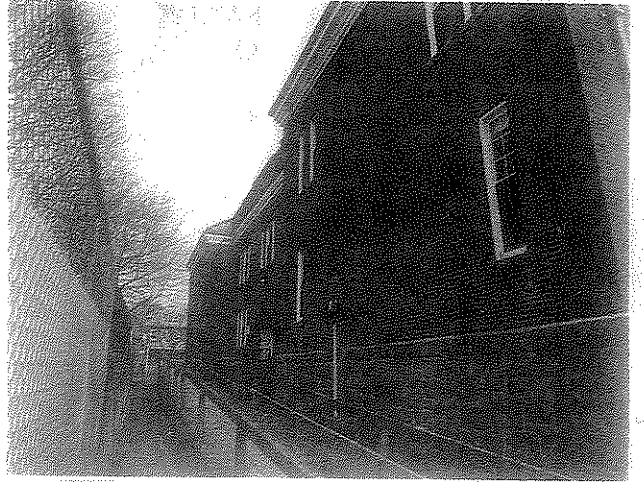
Acacia Street looking north



Southwest Corner



Northwest Corner



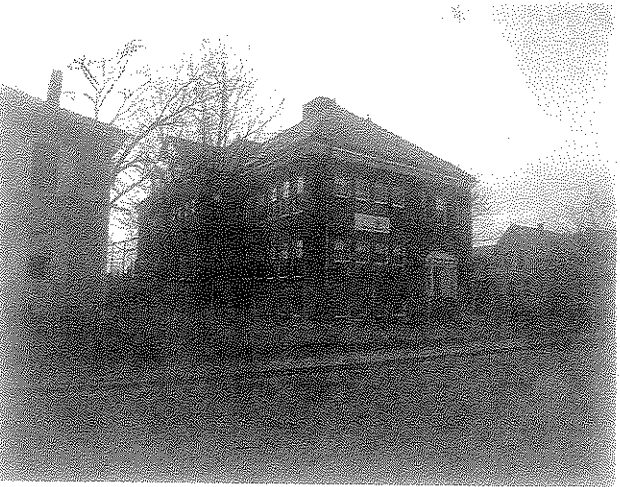
North Facade & Yard



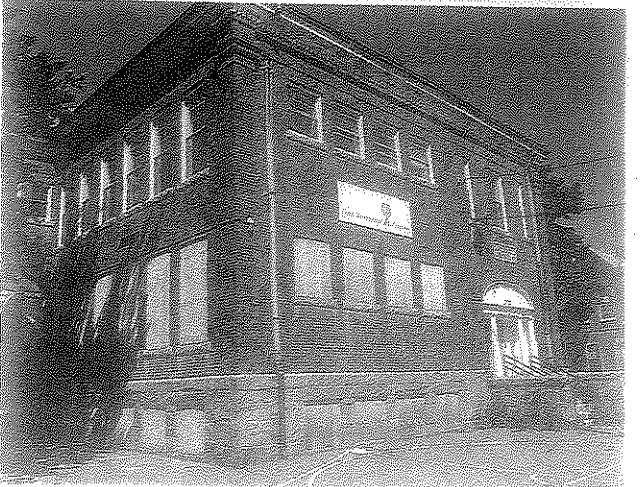
North (Main) Entrance



Maplewood Avenue looking north



Southeast Corner



Southeast Corner

# *Gloucester Development Team Inc.*

July 21, 2015

Major Project/Special Permit Application for the Residential Conversion of:

## **The Maplewood Avenue School**

The following is offered to fulfill the requirements of a Major Project & Special Permit Application as required by the Gloucester Zoning Ordinance and an addendum thereto of detailed requirements established by a vote of the Gloucester City Council on March 30, 2010.

Beginning in 2003 the City has, on five different occasions, advertised for the sale of this building. To date only one applicant has successfully completed the public approval process. That applicant did not carry through with construction. The permits by the Council and ZBA pertinent to that proposal are attached for reference, but are no longer valid.

The City's most recent advertising for the sale of the Maplewood Avenue School required proposal submission on July 10, 2012. The requirements of that RFP were:

- A minimum purchase price of \$100,000;
- A maximum of 12 one bed room housing units; for
- Elderly and/or veteran residents.

The local non-profit Gloucester Development Team, Inc. was the only respondent to the RFP and offered the following:

- A purchase price of \$120,000 plus a payment of \$55,000 to the Gloucester Housing Trust upon the future occupancy of the residences;
- Twelve one bedroom residential units;
- Residents to be 54 years of age or older and/or veterans; and
- To provide one affordable housing unit.

On August 28, 2013 a Purchase & Sales Agreement, which is still in effect, was executed between the City and the Gloucester Development Team, based on the above parameters, plus:

- Purchase the property within 20 days of the lapse of the appeal period associated with the Council's approval of this Major Project Permit.
- GDT to pay all closing costs.
- GDT to pay conventional real estate taxes assessed on the property.
- All use restrictions lapse 4 years after GDT's purchase.

The reuse of the school for residential uses required the following variances by the Gloucester Zoning Board of Appeals, which have been granted, with time extensions, attached hereto, and are on file at the Registry of Deeds:

- Reduction of minimum side yard dimensions (north yard) from a required 19.3 feet to the existing 13.25 feet.

By definition, both the Maplewood and Acacia yards are "front yards", and therefore, to put parking in both of those yards required two additional variances.

1. Reduce the vegetant ground cover requirements for the front yards from 65% to 18%.
2. Allow parking within (both) front yards

The proposed reuse of the school also required two Special Permits by the Gloucester Zoning Board of Appeals, which have been granted, with time extensions, attached hereto, and are on file at the Registry of Deeds:

1. A change, extension, or alteration of a pre-existing non-conforming structure.
2. A change, extension, or alteration of a pre-existing non-conforming use.

The final public review approval necessitates the City Council approval of the following:

Special Permit for:

1. Multi-family use in an R-5 District greater than 7 units.
2. A maximum building height, in excess of the Ordinance's 30 feet, to allow the existing 53.91 feet.
3. A reduction from the Ordinance's 2500 sf. of lot area per dwelling unit, to the proposed 1695 sf.
4. A reduction of the Ordinance's minimum open space per dwelling unit from 1250 sf. to 424 sf.

Major Project Permit:

A Major Project Permit is necessitated by the proposed reuse of the school for more than 11 residential units (Section 5.7.1 of the Zoning Ordinance).

Attached hereto or addressed below, and specifically required by the Council's 2010 Zoning Ordinance addendum, is the following:

- (A) A site layout plan showing the boundary of the site, circulation patterns, curb cuts, and snow storage areas. There are no loading facilities proposed and all solid waste will be contained within the building until removed for disposal. A locus plan has been include showing the site location, existing building, other buildings, and roads in a 1000 ft. radius.
- (B) A topography and drainage plan, bearing the stamp of a professional engineer, showing the existing and proposed site contours and a plan, approved by the DPW, for storm water run-off.
- (C) A utility plan showing proposed locations of new utility services, all underground, including water, sewerage, gas, communications, and electrical. There are no firefighting facilities outside the building itself. The building will be fully sprinkled and a fire hydrant currently exists on the public sidewalk at the property's NW corner. There are no recreational facilities proposed and, as shown on the site plan, the north yard and a good deal of the south yard will be open space. The site is not located near, nor does it have any direct impact on wetlands.
- (D) Architectural plans, stamped by a registered architect, showing all four floor plans, plus a loft floor, roof plan, and all four elevations. A perspective drawing from the south east corner identifies the minor changes to the building, primarily the inclusion of two recessed roof decks and skylights in the roof area. The color of the existing building, brick, granite, and slate, will be restored, but not altered. The only proposed free standing signs are those necessitated by, and identifying, the two handicapped parking spots on-site.
- (E) A landscaping plan showing the limits of work, existing and proposed vegetation, screening , fence repair, and a list of sizes and type of stock for each tree or shrub. The existing asphalt pavement that covers the entire site is a good surface from which to do the exterior work to the building. Nowhere on site will grades approach a 10% gradient. As necessary straw bales will be used to temporarily control run-off.
- (F) A lighting plan, made part of the landscape plan shows the exterior lighting, location and orientation, with height, and foot candles. No area wide, overhead, or parking lot lighting is proposed. External lighting is concentrated, in low wattage, and directional, at the walkway and entries located along the northern property edge.

5.8.5.2 The project will be completed as a onetime construction period of 9 months, from the issuance of a building permit to the obtaining of the first occupancy permit, and will not be done in phases. The overall anticipated development cost is \$3,275,000, and the cost estimate, provided by the General Contractor, of the costs of proposed site improvements is as follows:

Site grading/cut and fill	\$ 41,300
Underground Utilities	\$ 16,400
Hardscape/Paving & walks	\$ 28,500
Landscaping/labor & materials	\$ 32,300

5.8.5.3 A summary of the contemplated project is as follows:

- The site shall remain as currently defined as being 100 feet wide (along Maplewood Avenue and Acacia Street) by 200 feet deep.
- The site contours will remain basically as they presently exist except at the NW corner of the property and along Acacia Street. The existing stone and concrete retaining wall along the western, and a portion of the northern property line, will be removed and the grade re-established to those probably existing in the 1890s and reflective of the current grade of Acacia.
- Grade changes, and raising of the basement floor by 18", will allow barrier free access from anywhere on site to the building's interior. A new entry to the building's basement level will be constructed by an opening through the granite foundation wall at the NW corner of the building.
- Grades along the properties northern yard will be adjusted slightly to allow for barrier free access across the site at shallow enough inclines to eliminate the need for handrails.
- Parking will be developed, and maximized in the east and west yards, necessitating curb cuts along both Maplewood Avenue and Acacia Streets.
- Current Zoning requires 12 on-site parking spaces, and 19 (plus two handicapped spaces) is proposed. The parking spaces and drives are dimensioned as mandated by the Zoning Ordinance. Some parking spots, particularly those immediately available upon entry to the parking lot(s) will not be easy in/easy out spots. These spots will necessitate some maneuvering to access. Room has been provided for this maneuvering, the spaces are not intended for public use, and a couple of tight parking spots are a reasonable trade-off to minimize the impact of this reuse on limited neighborhood street parking.

- Parking spaces will be assigned and not owned by individual residents, allowing for maximum flexibility as tenant requirements change with time.
- Changes to the building's exterior include a new NW covered entry, removal of the east and west entry steps and their replacement with deck elements, and addition of skylights and two recessed roof decks in the attic area. Most of the investment in exterior elements will include granite and brick tuck pointing, replacement of rain leaders, the building's cornice, windows, and extensive refurbishing of the slate roof and its flashings.
- The building will be converted into 12 large one bedroom apartments, averaging 1710 sf., with the smallest being 1075 sf. and the largest being 2130 sf. The layout proposed provides 4 two story units occupying the basement and first floor, 4 flats occupying the school's second floor, and 4 loft units within the current attic space.
- The two existing interior stairs will be retained, as will the high ceilings and large windows. The building will have an elevator, be fully sprinkled, and current structural, life safety, and energy codes met.
- Each dwelling unit will have its own heating and air conditioning controls, washers and dryers, wi-fi, and individual basement level storage..
- Ownership of the completed project will be a for-profit entity, not the non-profit (GDT). At some point in the future (years 8 thru 11) the building will be converted into condominiums and sold over time to owner occupants.
- There is no public access or public open space proposed, however there is a design attempt to make the walkway along the northern property attractive and accessible to neighborhood pedestrians from the public sidewalk on Maplewood Avenue to Acacia Street.

5.8.5.4           The attached site plan, stamped by a professional engineer contains drainage calculations, there are no close proximity wetlands, and water utilities, sewer infrastructure, and storm water drainage are in conformance with the standards of the Department of Public Works.

5.8.5.5           The proposed site plan and building design are in compliance with the provisions of the MA Architectural Barriers Board. A variance, on file with the Building Inspector, allows for the retention of the original front entry as a non-accessible entry and the construction of the new NW entry as a compliant building accessible entry.





## CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

SCP2015-004

City of Gloucester  
Special Council Permit - ApplicationCITY CLERK  
GLOUCESTER, MA

15 JUL 22 PM 12:13

Sept. 25, 2015

(Public hearing to be held no  
later than above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

**Type of Permit:**

Special Permits for - Section 2.3.1(8) & 5.7.1	Multi-family use in an R-5 District
Section 1.10.1(a)(1)	Building over 30 feet high
Sections 1.10.1(a)(3) & 3.2.2 footnote (a)	Minimum lot area per dwelling unit
Sections 1.10.1(a)(3) & 3.2.2 footnote (a)	Minimum open space per dwelling unit
Major Project Permit - Section 5.7.1	Project containing more than 11 dwelling units

**Applicant's Name:** Gloucester Development Teams, Inc.**Owner's Name:** City of Gloucester - Maplewood Avenue School**Location:** 120 Maplewood Avenue Map #: 39 Lot #: 4**Zoning Classification:** R-5

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, etc.) if necessary.
- Attached are the necessary plans as set forth in Section 1.5.3, of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

**City of Gloucester - Action**

Fee: \$5000 Major Project RTY  
 City Clerk (received): 7/22/15  
 City Council (received): 7/28/15  
 Public Hearing (ordered): \_\_\_\_\_  
 Public Hearing (opened): \_\_\_\_\_  
 Public Hearing (closed): \_\_\_\_\_  
 Final Decision: \_\_\_\_\_  
 Disposition: \_\_\_\_\_  
 (Approved, Denied, Approved w/conditions)

**Applicant:**Nick Noyes

Name (Signature)

1 KROSBY ST., Gloucester

Address

978-281-1211

Telephone

Certified for completeness:

Building Inspector: [Signature] Date: 7/15/15Planning Director: [Signature] Date: 7/15/15



**Application for Special Permit & Major Project Permit**

The undersigned applicant hereby applies for a special permit under M.G.L., Ch. 40A, Section 9 as follow.

**1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):**

Name: Gloucester Development Team, Inc. %Kirk Noyes

Address: 1 Woodbury Street, Gloucester, MA 01930

Tel # Days 978-281-1211 Evenings 978-281-1211

**2. Owner, if other than applicant:**

Name: City of Gloucester %Michael Hale, DPW Director

Address: Poplar Street, Gloucester, MA

Tel # Days: 978—281-9785 Evenings:

**3. Property:**

Street Address: 120 Maplewood Avenue – The Maplewood Avenue School

Assessor's Map: 39 Lot: 4

Registry of Deeds where deed, plan, or both records:

Essex South District Registry of Deeds, Salem, MA

Deed recording: Book 1356 Page 28 & 29 Dated: Sept. 5, 1892

Plan recording: Plan # None

Property is located in the R-5 zoning district.

4. Nature of relief requested:

<i>Special Permits Being Requested Pursuant to the Following Sections of The Zoning Ordinance</i>	<i>A. Required Dimensions By Ordinance</i>	<i>B. Existing or Proposed Dimension</i>	<i>A minus B Equals Relief Requested</i>
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<i>Section 2.3.1(8) &amp; 5.7.1 of the Zoning Ordinance</i>	<i>For multi-family use, in an R-5 District, of 7 or more residential units. (See the specific requirements of Sections 2.3.1(8) and 5.7.1) of the Gloucester Zoning Ordinance</i>		
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<i>Maximum Building Height Section 1.10.1(a)(1) of the Zoning Ordinance</i>	<i>30 feet</i>	<i>53.91 feet</i>	<i>23.91 feet</i>
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<i>Minimum Lot Area per D. U. Sections 1.10.1(a)(3) &amp; 3.2.2 Footnote (a) of the Zoning Ordinance</i>	<i>2500 sf</i>	<i>1695 sf</i>	<i>805 sf</i>
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<i>Minimum Open Space per D. U. Sections 1.10.1(a)(3) &amp; 3.2.2 Footnote (a) of the Zoning Ordinance</i>	<i>1250 sf</i>	<i>424 sf</i>	<i>826 sf</i>
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<i>City Council Major Project Special Permit</i>	<i>Major Project Permit Required for projects containing 11 or more residential units. Section 5.7.1 of Zoning Ordinance</i>		
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***Detailed explanation of request:***

The City of Gloucester has, over a ten year period, attempted to market the former Maplewood Avenue School to private developers in the hope that the building could be adapted for reuse as a multi-family building. This process has also reflected the desires of the residents of the immediate neighborhood. This Major Project Special Permit application is in response to the existing conditions on the site and the stated goals of both the City and most neighbors.

The City has specifically requested that the building be converted into 12 residential units. Accordingly, that number, combined with the existing lot and building size, mandates the above referenced relief from the existing Zoning Ordinance may be granted, provided:

1. A CCS permit is granted to allow for 12 dwellings in this R-5 District;
2. A CC permit is granted because the existing building is 53.91 feet high, 23.91 feet higher than allowed;
3. A CC permit is granted because the existing 20,339 lot area can only provide 1695 sq. ft. of lot area (with 12 residential units on-site), short of the minimum 2500 sq. ft. of lot area per dwelling unit as required by Ordinance; and
4. A CC permit is granted because the existing site, existing building footprint, and desire to maximize parking along the property's two street frontages, reduces the minimum open space per dwelling unit from 1250 sq. ft. required by Ordinance to 294 sq. ft.

A Major Project permit is granted because the City requested, and this applicant proposes, reuse of the existing building for 12 residential units, and is mandated by Ordinance for any project having 11 or more residential units.

***5. Evidence in support of special permits:***

The Zoning Ordinance is a document providing clear guidance to those proposing to build or change use of existing structures within a given neighborhood; and, in so doing, also assures existing residents that changes will be appropriate and compatible with the existing neighborhood. But, like all such documents, not every potential situation can be anticipated. This is a classic case in point. The building is a neighborhood landmark, its site is small, and the financial requirements of its reuse dictate a higher concentration of dwelling units than is typical in the neighborhood. But the school's reuse is certainly not incompatible with the neighborhood and will be far less disruptive to neighborhood life as a residential building than it was as a public school. The continued involvement and input from the immediate neighbors is reflected in the City's Request for Proposals. The ZBA has acted and granted it's requisite relief as required under the City's Zoning Ordinance. And now the City Council has the final word, by granting these Special Permit requests, to confirm that these deviations from the prescribed Ordinance standards are not detrimental to the neighborhood.

***Because of reasons set forth below, the special permits requested will meet the additional requirements of the Zoning Ordinance/By-Law as follows:***

The reuse of this historic neighborhood public building supports exactly the purposes of the existing Zoning Ordinance. Specifically, as clearly stated in Section 1.2 of the Ordinance, the purpose is to encourage housing for persons of all income levels, to conserve the value of land and buildings, conserve natural resources, prevent blight, and encourage the most appropriate use of land (and might we add – historic structures). This proposed reuse does all of the above.

### Section 1.8.3

1. ***Social, economic, or community need served by the proposal:*** The reuse of a historic neighborhood landmark, particularly one that has been vacant and deteriorating for more than ten years will have a major positive impact on the immediate surrounding neighborhood. It is probably the only major abandoned building in the City and in a prominent location unfairly suggesting a neighborhood in trouble. Not only will the school's reuse reinforce the residential nature and quality of the neighborhood, but it will also stimulate new housing opportunities for a variety of home owners with a variety of incomes.
2. ***Traffic Flow and safety:*** The existing site is well situated for easy access to major traffic thoroughfares, including Route 128. And, as proposed, the parking requirements are all met on-site, but accessible from two streets, Maplewood Avenue and Acacia Street. This parking arrangement dilutes the traffic flow to and from the site to minimize the impact on either street. The residential reuse of the building will also create much less traffic and vehicular disruption to the neighborhood than the historic use of the building as a public grade school.
3. ***Adequacy of utilities and other public services:*** The site is presently well served by all necessary utilities, including, gas, water, sewer, electricity, and communications. The site is also easily accessible to public service providers including fire, ambulance, and police.
4. ***Neighborhood character and social structure:*** The existing neighborhood is so strongly residential, even along Maplewood Avenue, that a residential reuse of this neighborhood landmark will only reinforce that existing pattern. The scale of the building and its proximity to Maplewood Avenue will, in no uncertain terms, reinforce the residential character of this portion of the avenue. The neighborhood is comprised of working families and retirees. This building, redone for the use of older residents, will reinforce that existing pattern. This new housing is not intended to be luxury housing, but rather a reasonably priced alternative for older residents in the neighborhood who would like to reduce the burdens of home maintenance without the loss of security, and spacious living quarters offered by home ownership.
5. ***Qualities of the natural environment:*** The proposed changes to the site should have a positive impact on the neighborhood and improve on the site's existing conditions. A major change will be the re-grading and retaining wall demolition at the site's northwest corner, providing grades more compatible with those of the immediate abutter and reflective of the original 1890's grades. The proposed site improvements will also remove 60% of the asphalt paving that presently covers the entire site. Replacing this asphalt will be vegetant ground cover. The one on-site existing tree will be retained and five additional trees planted. Also, all site water drainage will be concentrated in two below grade absorption tanks so that site storm water runoff is minimized.
6. ***Potential fiscal impact:*** This vacant school building provides no local tax revenue nor is its condition supportive of housing prices in the immediate neighborhood. The proposed residential reuse of this building should generate an assessed value of approximately \$3,400,000. That valuation, given Gloucester's current tax rate (\$13.65/1000), corresponds to additional annual tax revenue of \$46,400. The addition of 11 new fairly expensive homes, in a historic structure, should also have a positive impact on the prices of existing homes in the immediate neighborhood.

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner, must designate such representative below.

Name of Representative: \_\_\_\_\_

Address of Representative: \_\_\_\_\_

Tel. # Days \_\_\_\_\_ Evenings: \_\_\_\_\_

Relationship of representative to owner or equitable owner: \_\_\_\_\_

I hereby authorize \_\_\_\_\_ to represent my interest before the Special

Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) \_\_\_\_\_

I hereby certify under the pains and penalties of perjury that the information contained in this Application is true and complete.

Signature of Applicant Kirk Noyes Date July 15, 2015

Signature of owner \_\_\_\_\_ Date \_\_\_\_\_  
if other than Applicant

Signature of Equitable Owner Kirk Noyes Date July 15, 2015

Who is filing application to  
Satisfy condition of  
Purchase and sales Agreement



# City of Gloucester Abutters Report

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.  
Gloucester Board of Assessors.

Abutters to Parcel: Map-Lot-Unit 39-4

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 39 Lot 4 as further shown on the attached map dated 7/15/2015.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
39-81 MACDOUGALL DONNA COSTA & P	7 ACACIA ST	39-81	MACDOUGALL DONNA COSTA & P 7 ACACIA ST GLOUCESTER, MA 01930
39-82 GIANMANCO PAMELA E & ESTES GARD H	9 ACACIA ST	39-82	GIANMANCO PAMELA E & ESTES GARD H 9 ACACIA ST GLOUCESTER, MA 01930 0000
39-71 QUINN DAVID QUINN PATRICIA TE	10 ACACIA ST	39-71	QUINN DAVID QUINN PATRICIA TE 10 ACACIA ST GLOUCESTER, MA 01930
39-19 SPOON BETTY ANN	12 ACACIA ST	39-19	SPOON BETTY ANN 12 ACACIA ST GLOUCESTER, MA 01930
39-20 STOKES JEREMIAH JAMES	16 ACACIA ST	39-20	STOKES JEREMIAH JAMES 16 ACACIA ST GLOUCESTER, MA 01930
39-18 ROMEO PETER & RHONDA M	17 ACACIA ST	39-18	ROMEO PETER & RHONDA M 17 ACACIA ST GLOUCESTER, MA 01930
39-17 PORT DEBORAH J C/O COLLINS DEBORAH J	19 ACACIA ST	39-17	PORT DEBORAH J C/O COLLINS DEBORAH J 19 ACACIA ST GLOUCESTER, MA 01930 0000
39-70 MACCARTHY KENNETH	44 MADISON AV	39-70	MACCARTHY KENNETH 44 MADISON AV GLOUCESTER, MA 01930
39-2 SMITH JOSEPH R & GEORGIA	116 MAPLEWOOD AV	39-2	SMITH JOSEPH R & GEORGIA PO BOX 7024 GLOUCESTER, MA 01930
39-3 SOPER DAVID M & JOANN D	118 MAPLEWOOD AV	39-3	SOPER DAVID M & JOANN D 118 MAPLEWOOD AV GLOUCESTER, MA 01930
40-82 VICARI ROBERT & AMY	119 MAPLEWOOD AV	40-82	VICARI ROBERT & AMY 119 MAPLEWOOD AV GLOUCESTER, MA 01930
39-4 GLOUCESTER CITY OF C/O FULLER SCHOOL	120 MAPLEWOOD AV	39-4	GLOUCESTER CITY OF C/O FULLER SCHOOL 6 SCHOOL HOUSE RD GLOUCESTER, MA 01930 0000
40-81 CORCORAN BRENDAN P & SARA S	121 MAPLEWOOD AV	40-81	CORCORAN BRENDAN P & SARA S 121 MAPLEWOOD AV #2 GLOUCESTER, MA 01930
39-5 CHRISTOPHER JOHN J & IDA M	122 MAPLEWOOD AV	39-5	CHRISTOPHER JOHN J & IDA M 122 MAPLEWOOD AVE GLOUCESTER, MA 01930 0000
40-80 LAFLAM SHIRLEY	123 MAPLEWOOD AV	40-80	LAFLAM SHIRLEY 123 MAPLEWOOD AV GLOUCESTER, MA 01930
39-6 GUCCIARDI JOSEPH & DELLA MARTA JULIE	124 MAPLEWOOD AV	39-6	GUCCIARDI JOSEPH & DELLA MARTA JULIE 124 MAPLEWOOD AV GLOUCESTER, MA 01930



# City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 39-4

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Gloucester Board of Assessors.

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
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The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA  
Gary I. Johnstone, MAA  
Bethann B. Godinho, MAA  
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

7/15/2015



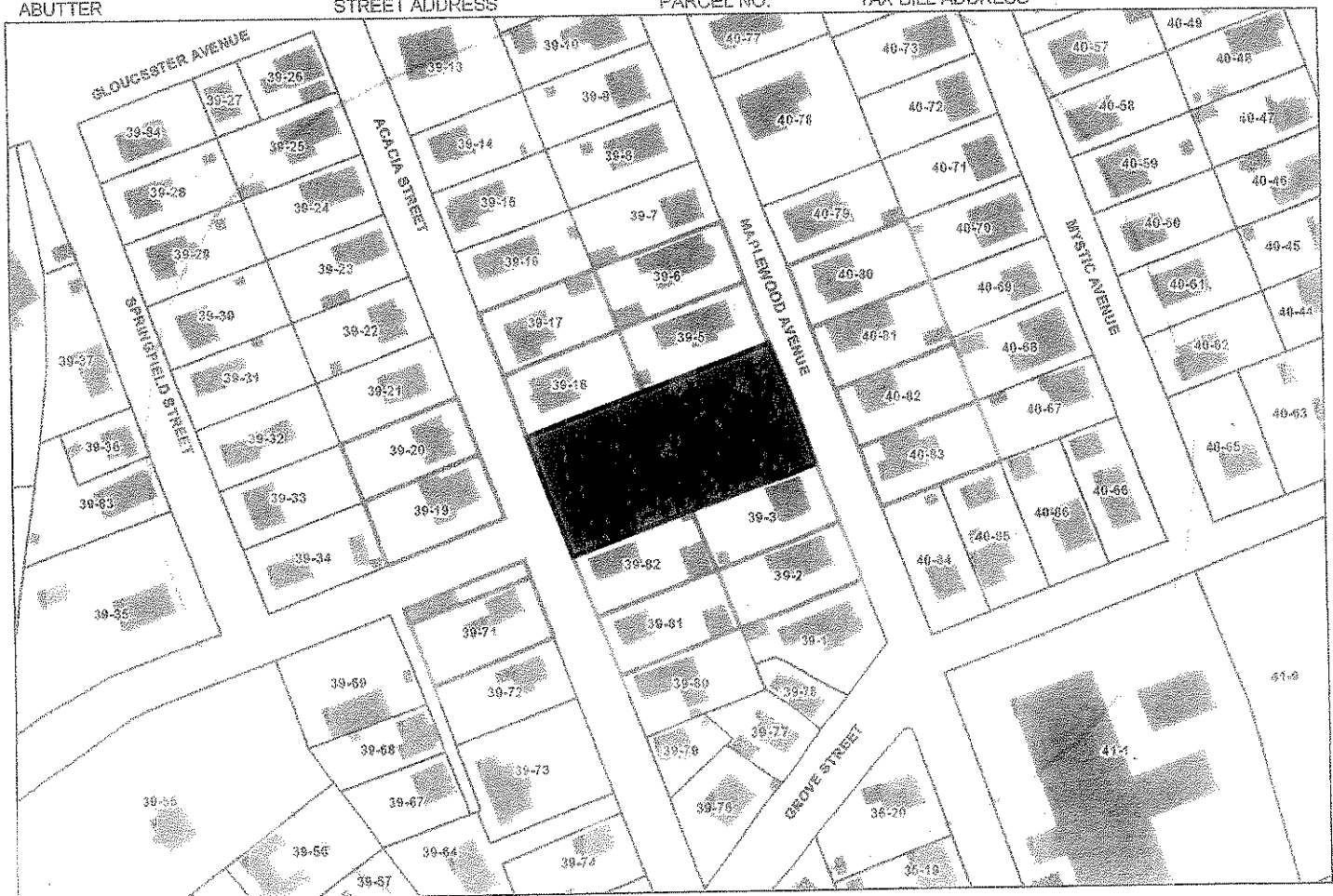
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Abutters to Parcel: Map-Lot-Unit 39-4

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.  
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 39 Lot 4 as further shown on the attached map dated 7/15/2015.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
---------	----------------	------------	------------------

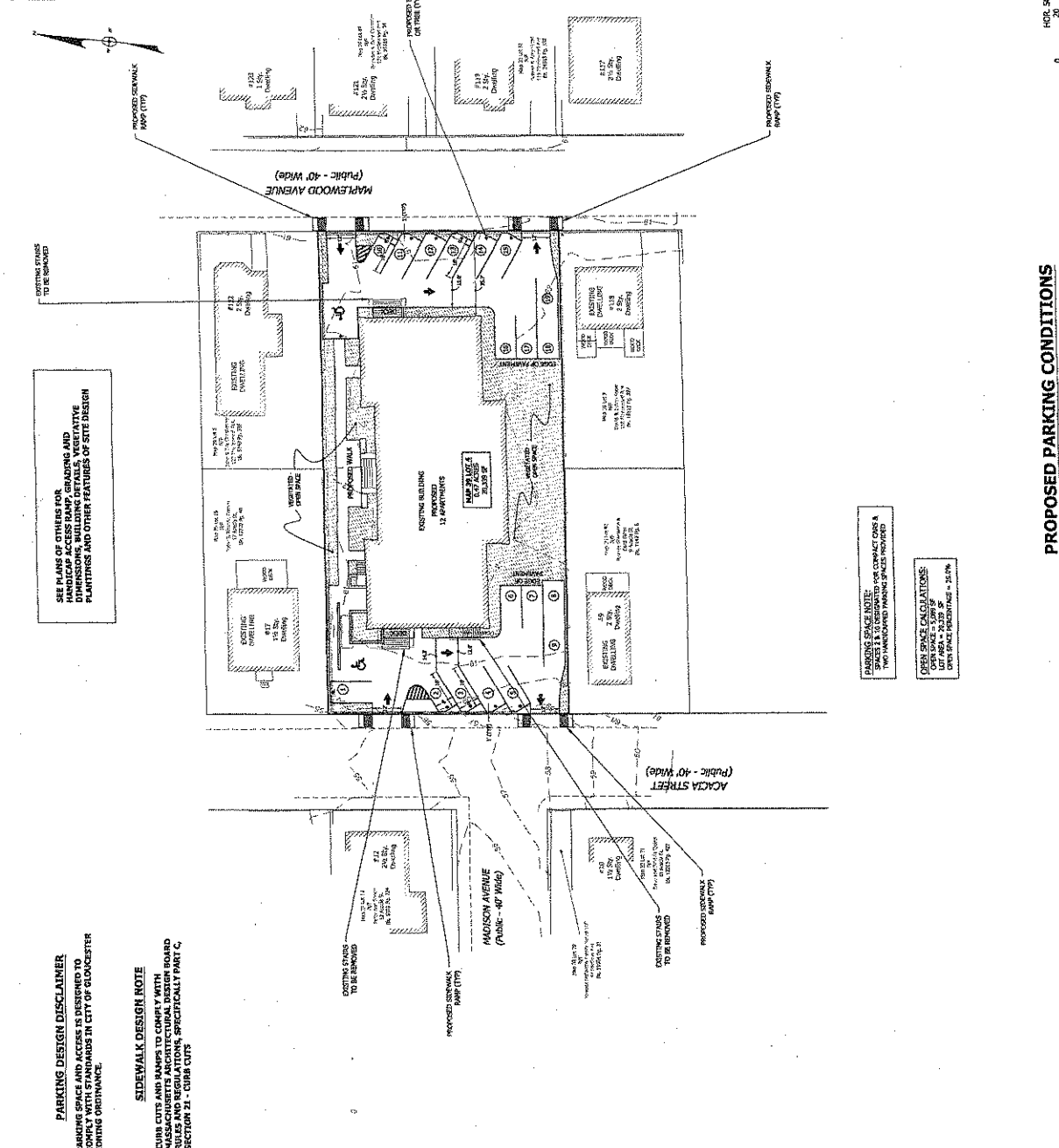






6 Sargent Street, Gloucester, Massachusetts  
Phone: 978-282-0014 Fax: 978-282-1318  
www.millriverconsulting.com

- [illegible]

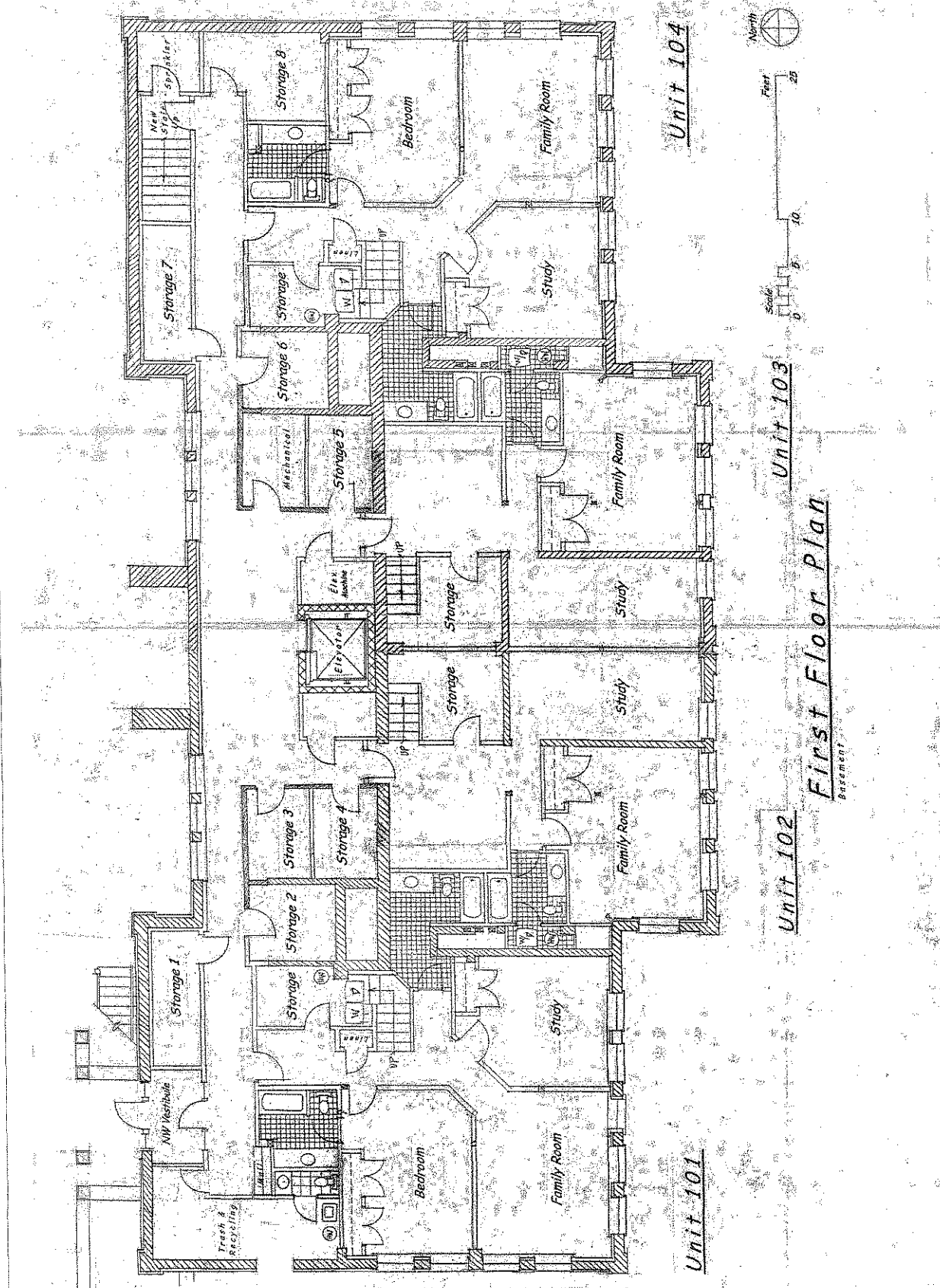


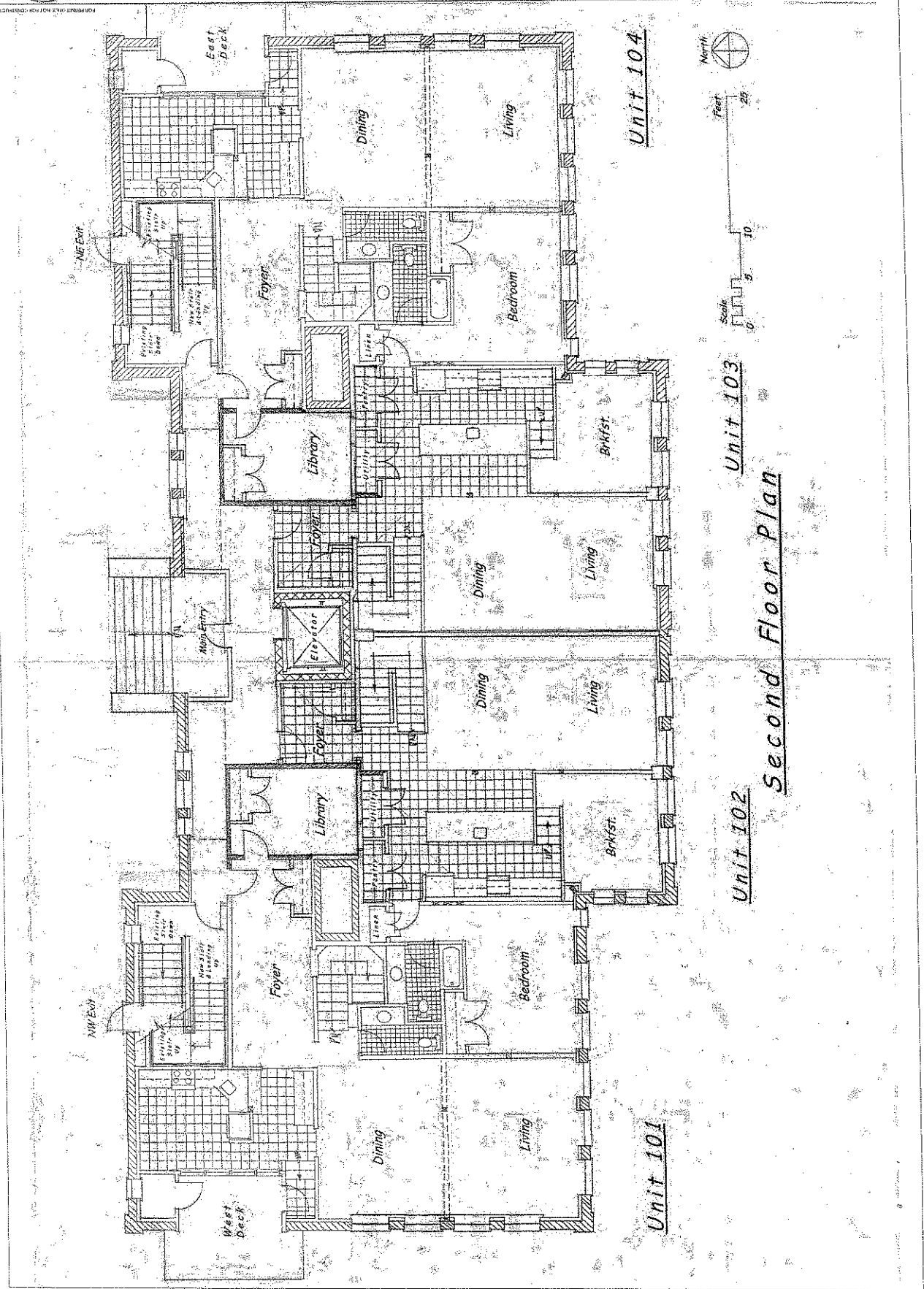
### PROPOSED PARKING CONDITIONS

GRAPHIC SCALE: 1" = 30'

CONTRACTOR TO BUILD PARKING AREAS TO DIRECT WATER TOWARDS CATCH BASIN AND AWAY FROM BUILDING, PROPERTY LINES AND STREETS.

TEST	Plant Material	Size	Quantity
2	Chloroform (100% Chloro)	1 gal	14.3
3	Diethyl Ether	1 gal	7
4	Diethyl Acetate	2.5-3.0°C	21
5	Hexamethylcyclotrisiloxane	1 gal	7
6	Hexamethylsiloxane	1 gal	7
7	Diethylamine	50 d.t.m.	90
8B	Heptane	2°C	10
9	Halobutene isonitrile	1 gal	7
10	Halobutene isonitrile	1 gal	7
11	Phenylacetylene	8.5-9°C	17
12	Phenylacetylene	1 gal	7
13	Phenylacetylene	1 gal	7
14B	Phenylacetylene	1 gal	7
15	Phenylacetylene	1 gal	7
16	Phenylacetylene	1 gal	7
17	Phenylacetylene	1 gal	7
18	Phenylacetylene	1 gal	7
19	Phenylacetylene	1 gal	7
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97	Phenylacetylene	1 gal	7





Unit 104

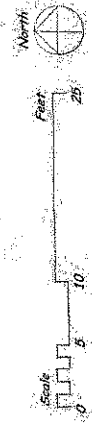
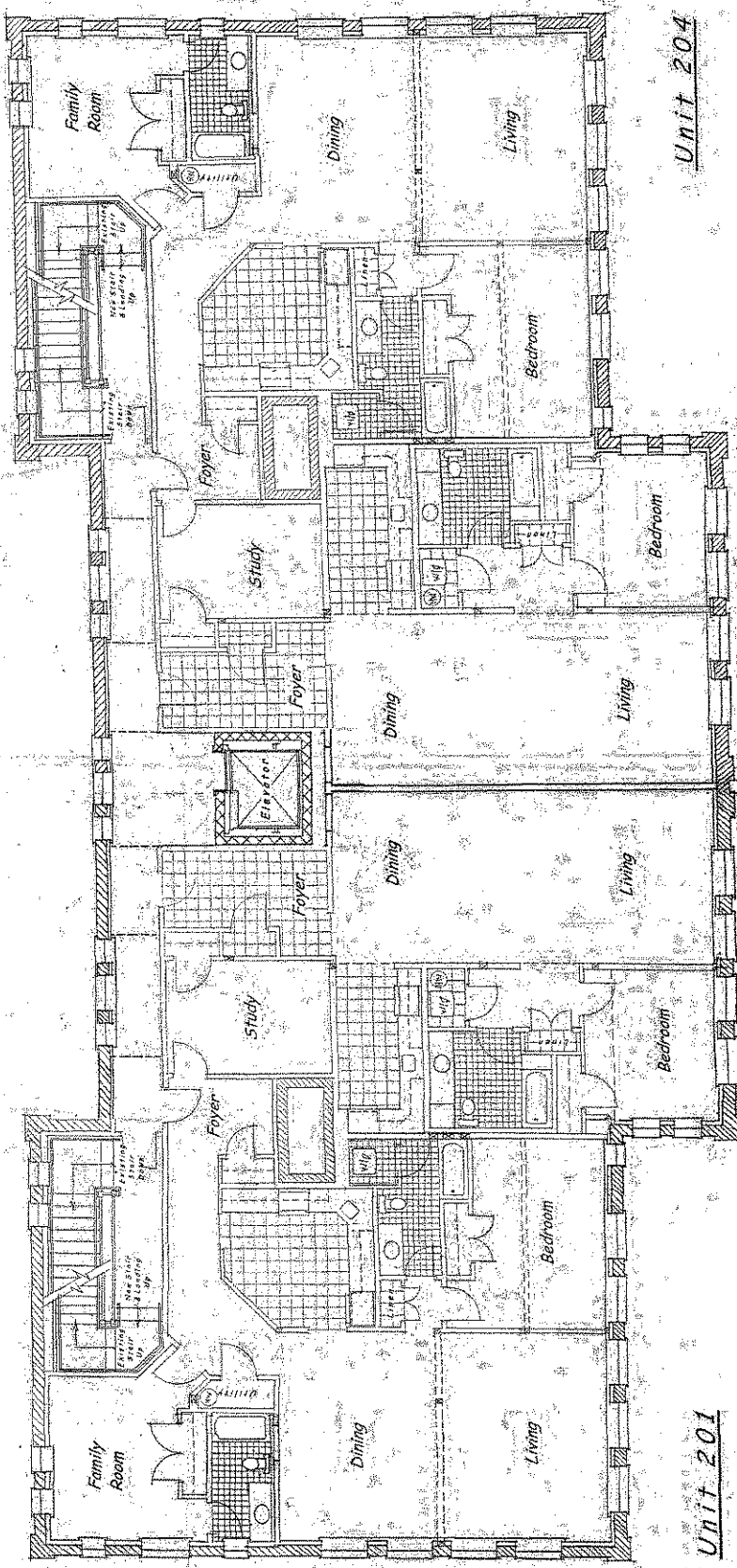
Unit 103

Unit 102

Unit 101

Second Floor Plan





Unit 204

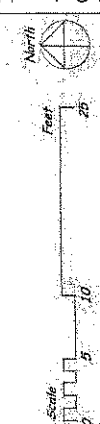
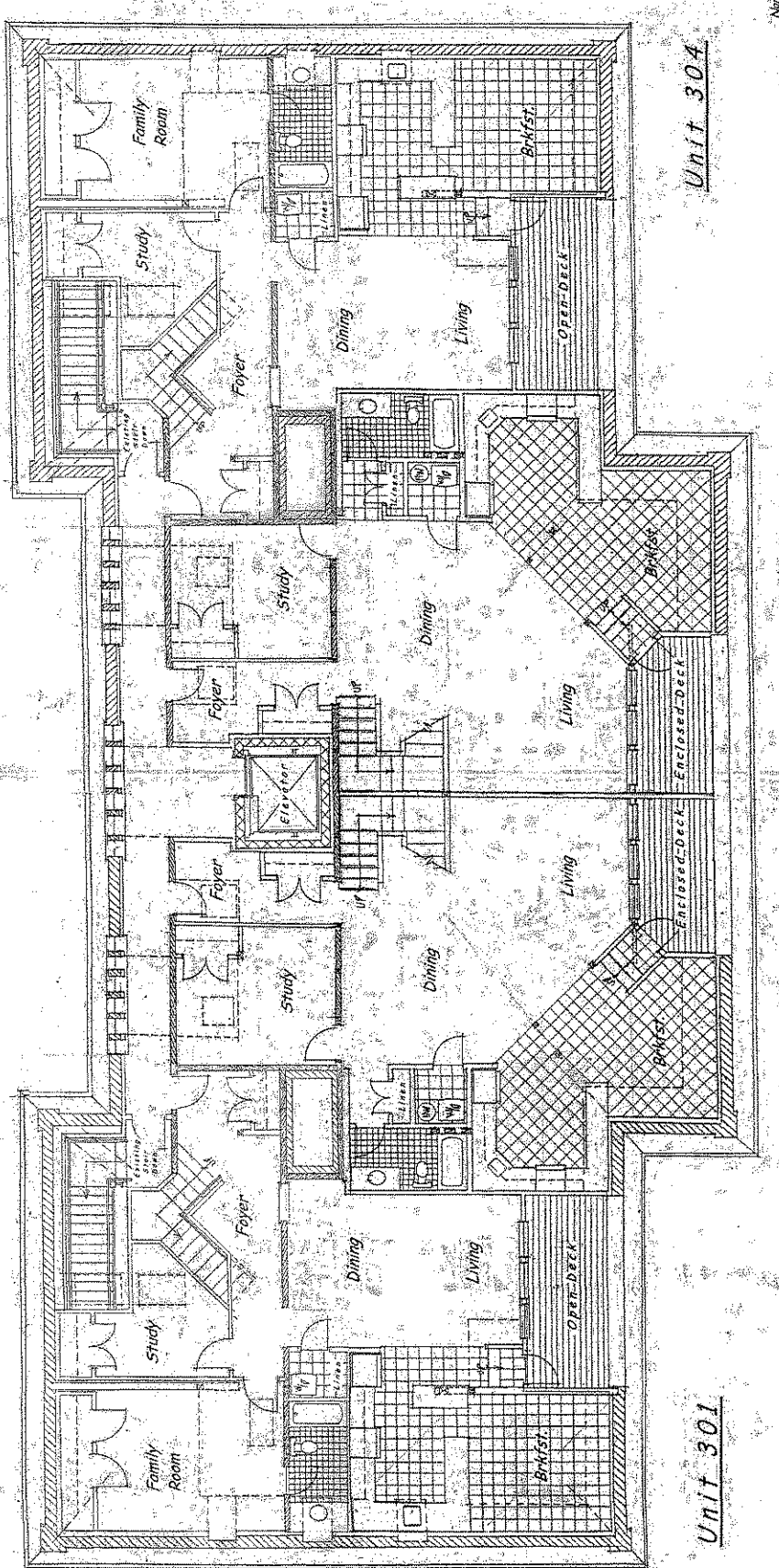
Unit 203

Unit 202

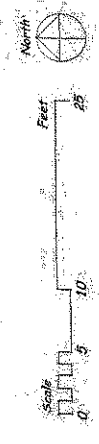
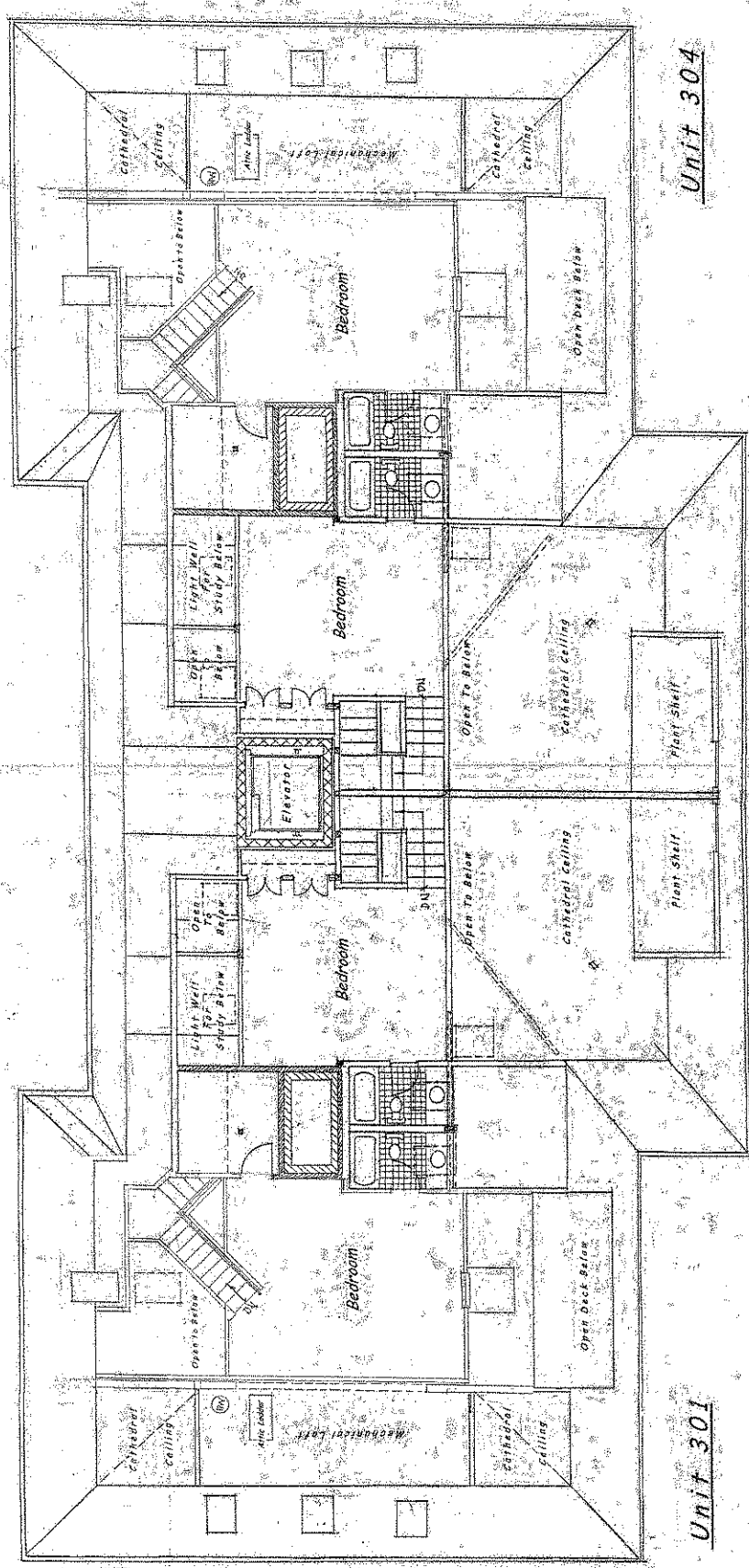
Unit 201

Third Floor Plan



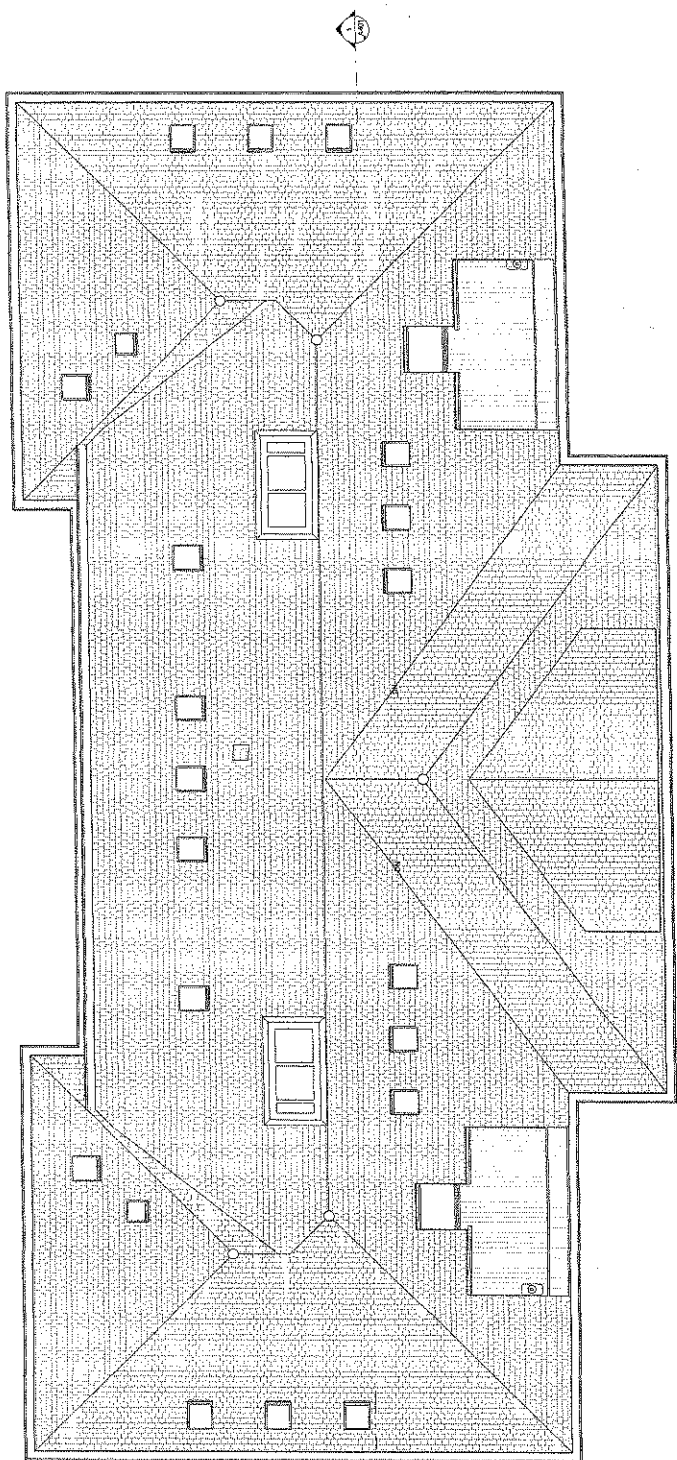


Unit 301  
 Unit 302  
 Unit 303  
 Unit 304  
 Fourth Floor Plan  
 Attic



Unit 301      Unit 302      Unit 303      Unit 304

**Loft Floor Plan**

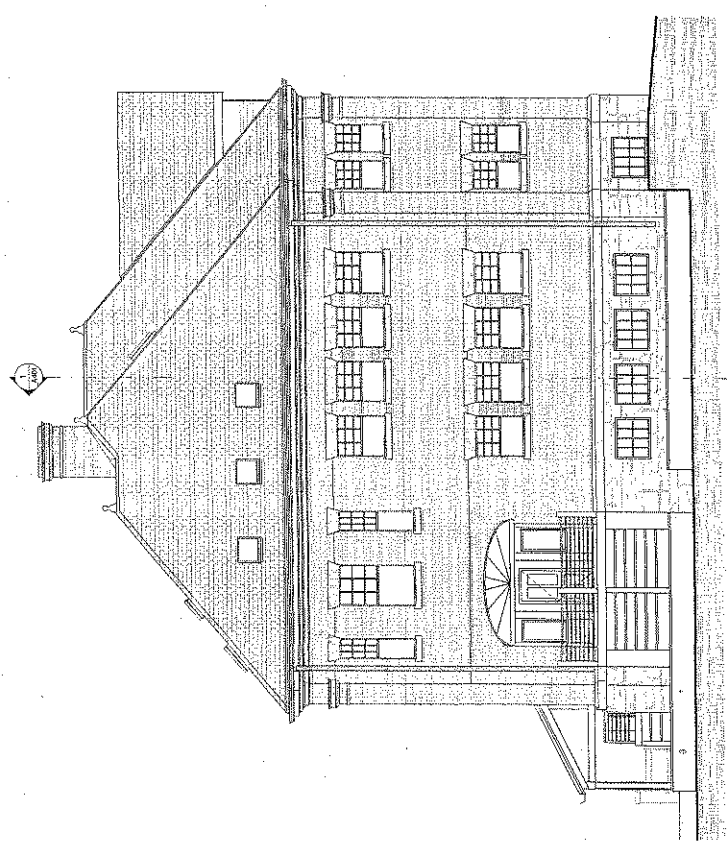
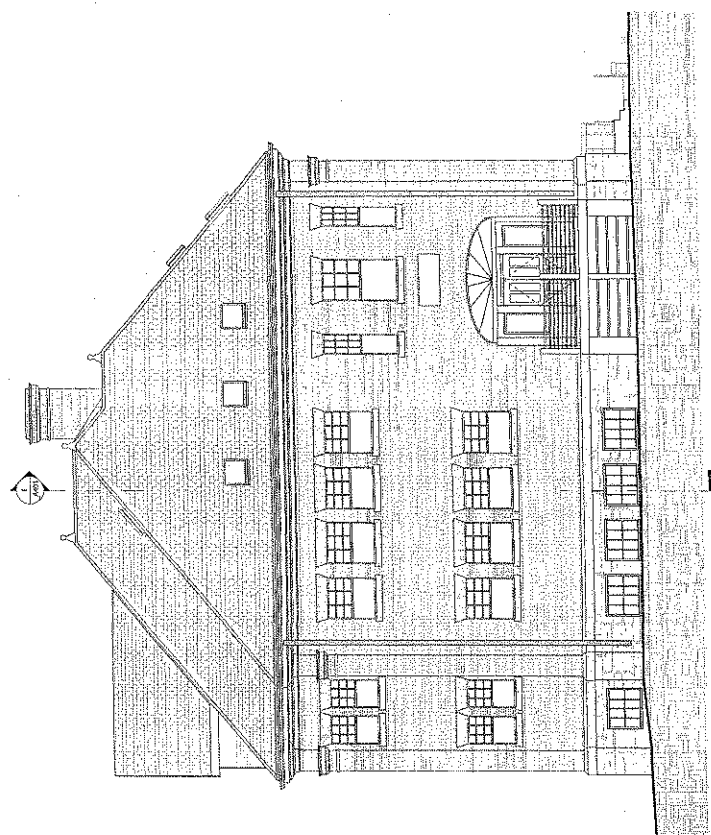
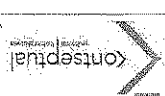


① PERMIT SET ROOF  
3/18" = 1'-0"

Maplewood  
120 Maplewood Avenue  
Gloucester, MA 01930

Maplewood School Residences

Project Number 14011 - MASH



① PERMIT SET EAST  
3/16" = 1'-0"

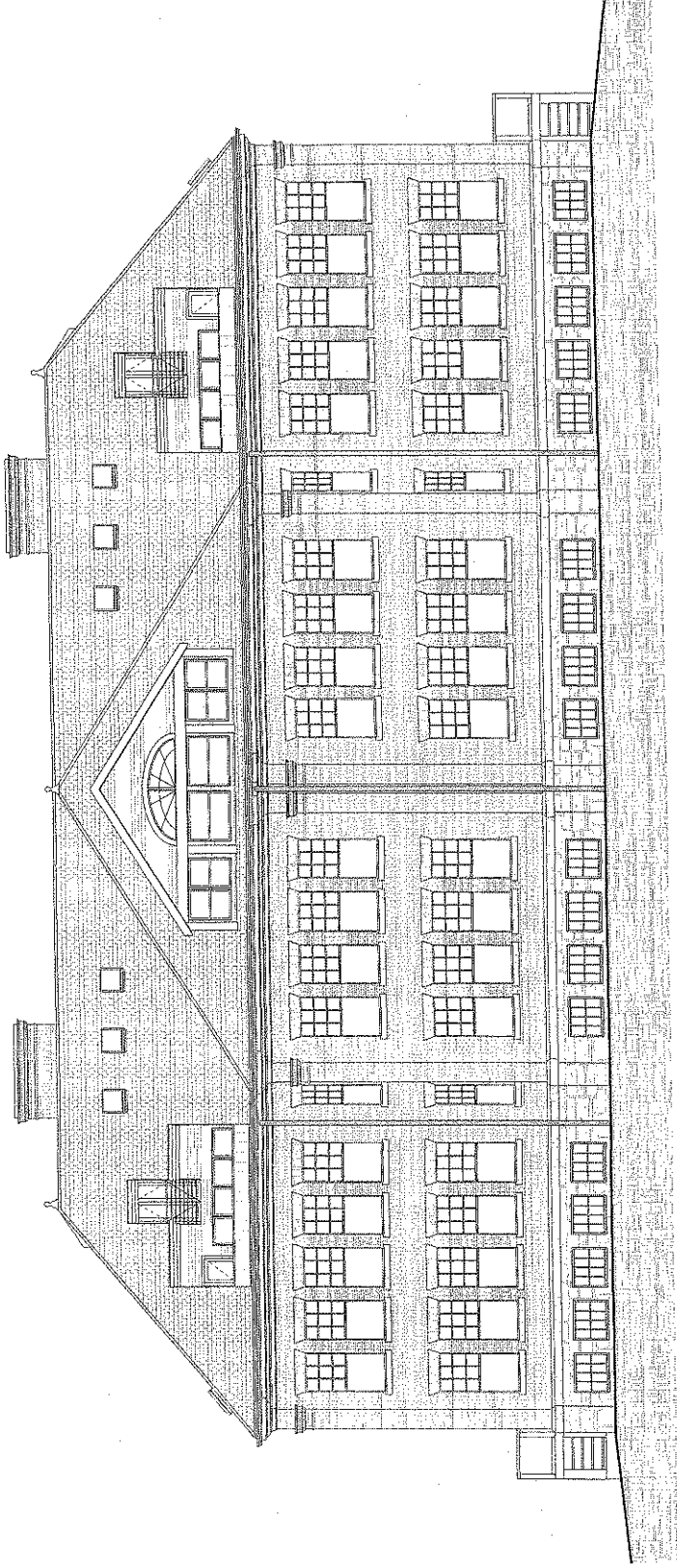
2 PERMITS SET WEST  
3/15" = 1'-0"

1. 姓名: 王明 (Wang Ming)  
 2. 性别: 男 (Male)  
 3. 年龄: 25 (Age)  
 4. 职业: 教师 (Teacher)  
 5. 地址: 北京市朝阳区 (Beijing, Chaoyang District)  
 6. 电话: 13800138000 (Phone)  
 7. 电子邮箱: wangming@example.com (Email)  
 8. 身份证号: 110101199801010001 (ID Card No.)  
 9. 出生日期: 1998-01-01 (Date of Birth)  
 10. 婚姻状况: 未婚 (Marital Status)

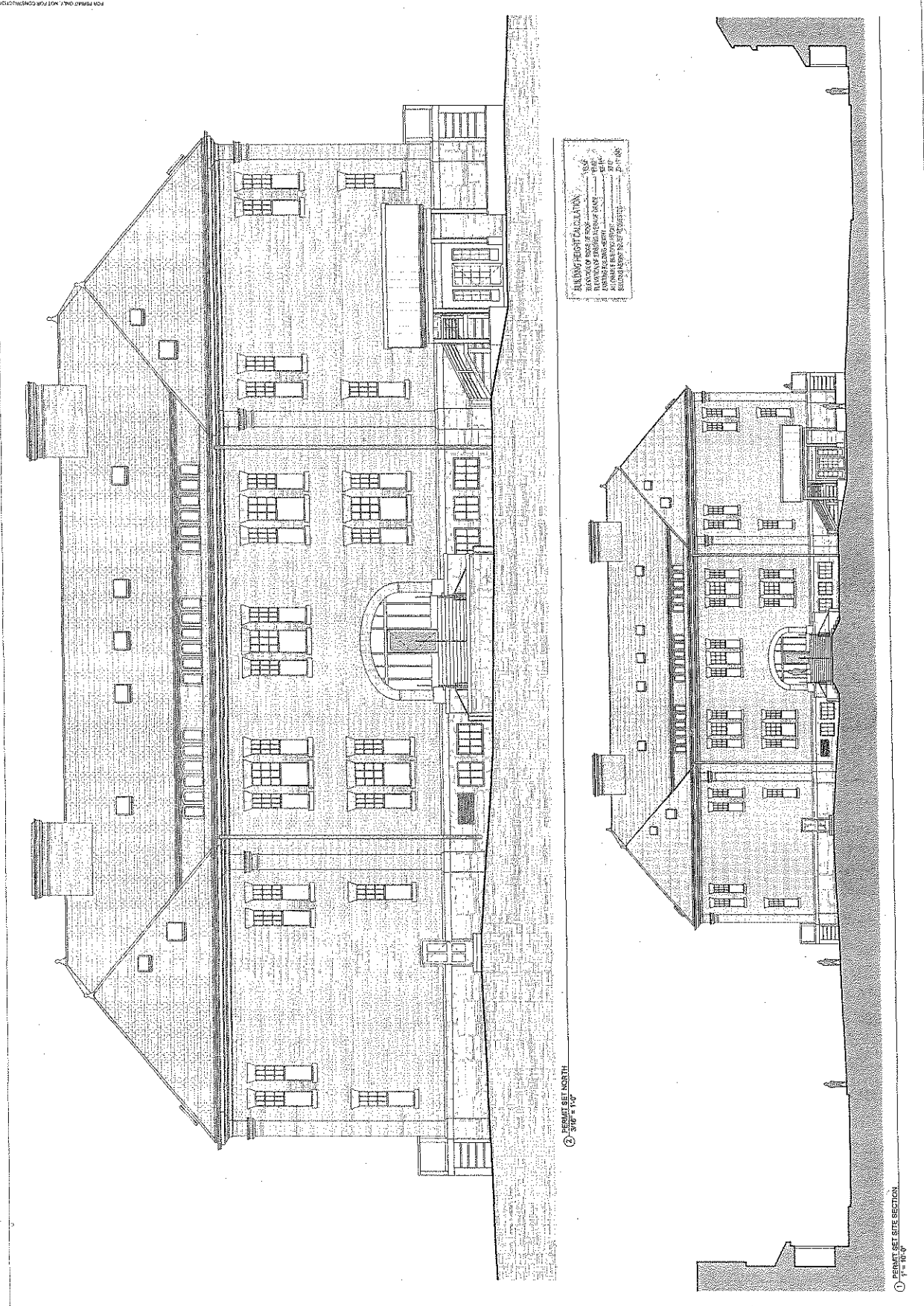
Maplewood School Residences  
 120 Maplewood Avenue  
 Gloucester, MA 01930

SOUTH ELEV.  
 Drawn by: ADP  
 Checked by: WJP  
 Project Date: 4/20/15  
 Project Number: 14011, MAAR

conceptual  
 10 Oak Street  
 Gloucester, MA 01930  
 978.228.8180  
 www.maplewood.ma.us



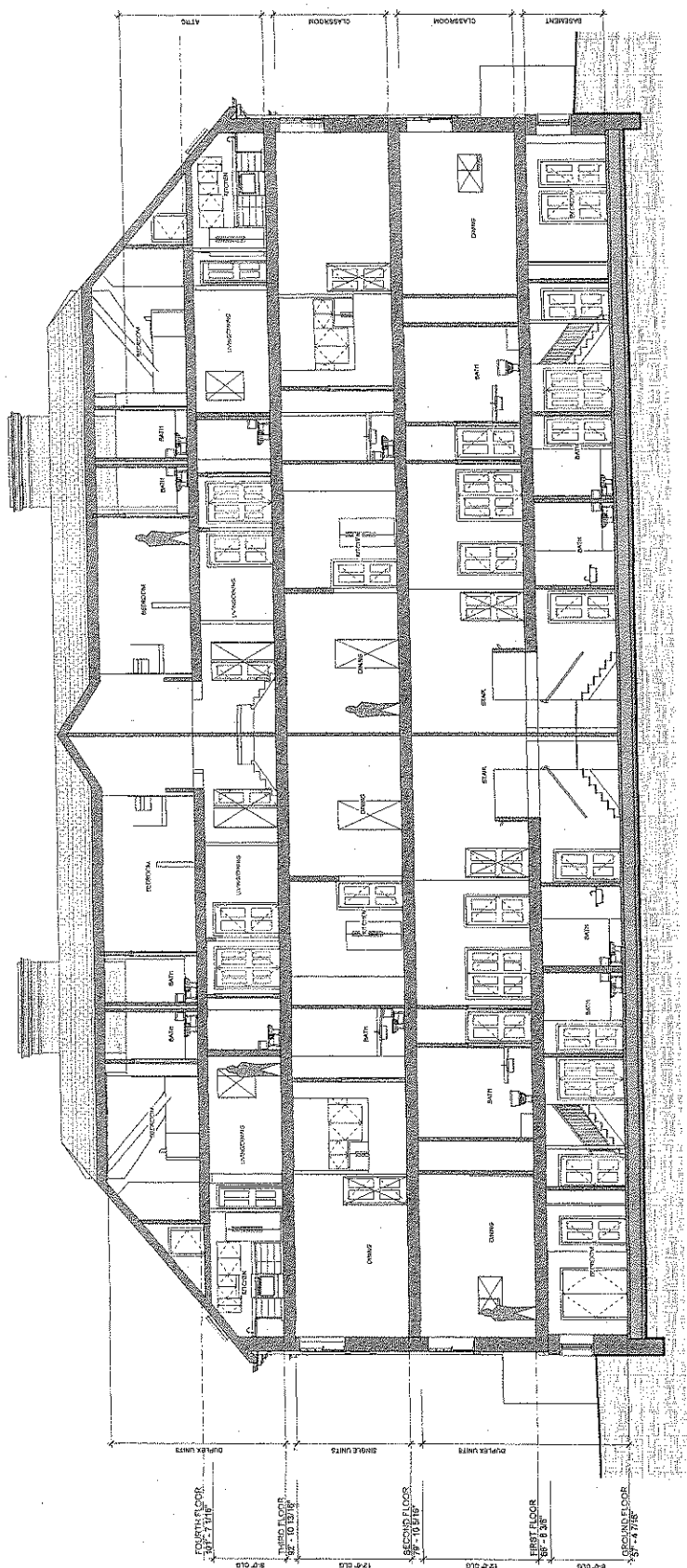
1 FRONT EAST SOUTH  
 1/8" = 1'-0"



# Maplewood School Residences

SECTIONS I  
Checked by: JAP  
Project Date: 4/2015  
Project Number: 14011 JAAFI

conceptual



PERMIT SET BUILDING SECTION





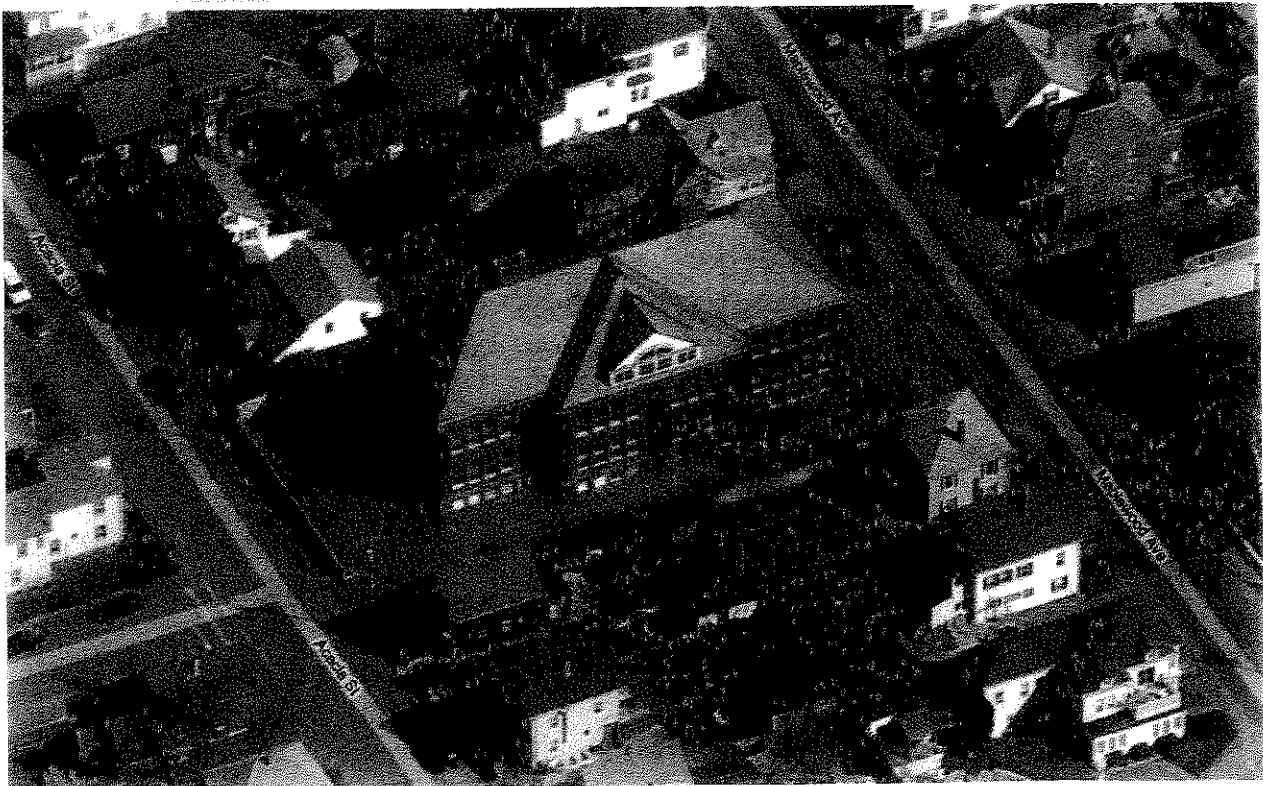
## *Maplewood Avenue School*

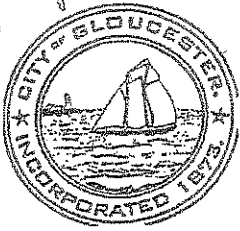
Approval: 1/9/14

Registry Filing: 12/29/14

## *ZBA Decision*

6 Mo. Extension Granted 2/26/15





RECEIVED

FEB 18 2014

**CITY OF GLOUCESTER**  
GLOUCESTER \* MASSACHUSETTS \* 01930

Per \_\_\_\_\_

Decision: Gloucester Zoning Board of Appeals

Petitioner: Gloucester Development Team, Inc.

Petition: Seeking variances for side yard setbacks, lot area per dwelling unit, lot coverage, percentage of vegetative cover and §4.14a allowing parking in both front yards, and Special Permit to change alterations of the pre-existing, nonconforming structure and use (§§ 1.9 and 2.4) so as to apply to the City Council for a multi-family Special Permit at 120 Maplewood Avenue (Assessor's Map 39, Lot 4).

CITY CLERK  
GLOUCESTER, MA  
14 FEB 28 AM 11:14

The Board finds that proper notice has been given by mailing and advertising. The hearing was commenced at the time and place as advertised: Thursday, January 9, 2014 at 7:00 p.m., Kyroutz Auditorium, Gloucester City Hall, Dale Avenue, Gloucester, Massachusetts, as aforesaid, and at which time all testimony was taken.

Board Members Present: James P. Movalli, Chairman  
Virginia Bergmann, Vice Chairman  
David B. Gardner, Esquire  
Francis Wright  
Michael C. Nimon

The zoning classification of the subject land with public school building thereon at 120 Maplewood Avenue, Gloucester, is R-5 (High Density Residential).

First, speaking for the Petitioner was Marc N. Sandler, of 28 Dale Avenue, Gloucester, who introduced himself as the President and a member of the Board of Gloucester Development Team, Inc., the Petitioner, which is a Massachusetts non-profit corporation with an address of 28 Dale Avenue. Mr. Sandler informed the Zoning Board of Appeals that in response to the City's most recent request for a proposal (RFP) dated July 10, 2012, the City and Petitioner entered into a Purchase & Sale Agreement, dated August 28, 2013, whereby the Petitioner agreed to purchase the City land and building as aforesaid, for the conversion thereof to a twelve unit dwelling structure in accordance with plans submitted with this Application as required, and subject to obtaining the requisite variances and Special Permits from the Board of Appeals and City Council.

The reasons for the Petitioner's requests of three variances and two Special Permits are set forth on page 5 of the Application for Variance or Special Permit, and supplemented by a site plan and elevation and floor plans (attached to the Petitioner's Application), were addressed by Mr. Kirk Noyes, a member of the Petitioner's Board and knowledgeable as to the applicable dimensional requirements of the zoning ordinance.

2.18.14

BN  
24

A TRUE COPY ATTEST  
  
CITY CLERK

Page 1 | 4

Mr. Noyes explained that in the application chart entitled "Form 001" Petitioner does not request variances from minimum lot area, minimum lot width, minimum lot frontage, minimum front yard – east, minimum front yard – west, minimum side yard – south, maximum lot coverage, frontage width to principal building, and minimum off street parking for a dwelling unit.

However, three variances from the requirements of the zoning ordinance as set forth in Petitioner's application are requested as shown in the Application and on the abbreviated chart below, as follows:

Variance Relief Being Requested	A. Required Dimensions	B. Existing or Proposed Dimension	A minus B equals Requested Relief
Minimum Side Yard – North § 3.2.2	19.30'	13.25'	6.05'
Vegetative Cover in Front Yard § 3.2.2 footnote (b)	65%	18%	47%
Parking Within Front Yard §§ 1.7 & 4.1.4 (a)(2)	None Allowed		Allow in both yards

Mr. Noyes also asked that the Board grant two Special Permits requested in the Application (in red ink on page 5) applicable to Section 1.9 and 2.4 for the change, extension or alteration of a pre-existing nonconforming structure and for a nonconforming use.

No other persons spoke in favor of the petition, and no one spoke in opposition. The public hearing was closed, after which the Board Members discussed the petition. Chairman Movalli then offered, and to which all Board Members agreed, that the standard to be applied in the three above mentioned requests for variances have been met, as follows:

1. That the hardship arises from circumstances relating to the soil conditions, shape or topography of the land or structure(s) in question, which circumstances particularly affect such land or structures, but which do not generally affect the zoning district in which they are located; and
2. That the desired relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance.

Thereafter, the members of the Board discussed, and agreed, that the criteria for granting the Special Permits have been considered as follows:

1. Social, economic or community needs served by the proposal;
2. Traffic flow and safety;
3. Adequacy of utilities and other public services;

4. Neighborhood character and social structure;
5. Qualities of the natural environment; and
6. Potential fiscal impact.

Lastly, Vice Chairman, Virginia Bergmann, requested, and to which the Petitioner agreed, that the imbedded Maplewood School sign over the front door of the building, not be removed and be suitably maintained by the Petitioner.

Accordingly, Petitioner's Application for Variances and Special Permits, are hereby granted as follows:

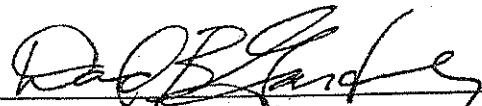
- |                      |  |
|----------------------|--|
| Variance No. 1:      | Minimum north side yard width be reduced from 19.30 feet to 13.25 feet;  |
| Variance No. 2:      | Minimum vegetative cover required in both front yards be reduced from 65% to a combined 18%; and   |
| Variance No. 3:      | The requirement that no parking be allowed within either front yard is waived to allow nine parking spaces in the east front yard, and thirteen parking spaces in the west front yard. |
| Special Permit No. 1 | (under section 1.9 and 2.4 of the Zoning Ordinance): allowing the change, extension or alteration of a pre-existing nonconforming structure; and                                       |
| Special Permit No. 2 | (under Section 1.9 and 2.47 of the Zoning Ordinance): allowing the change, extension or alteration of a pre-existing nonconforming use.  |


VOTE OF THE BOARD


*In favor*

  
James P. Movalli, Chairman

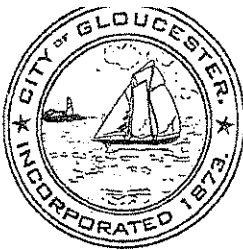
  
Virginia Bergmann, Vice Chairman

  
David B. Gardner, Esquire

  
Francis Wright

  
Michael C. Nimon

The within vote is in accordance with the plans submitted and approved by the Board on January 9, 2014. The petitioner must construct according to those plans. This decision is granted in accordance with the Zoning Ordinance of 2008.



City of Gloucester  
Office of the City Clerk  
9 Dale Avenue  
Gloucester, Massachusetts 01930

Office (978) 281-9720 Fax (978) 282-3051

## Attachment to Board of Appeals

Gloucester Development Team, Inc.  
120 Maplewood Ave  
Gloucester, Massachusetts 01930

Map 39, Lot 4      Locus (if different from above): 120 Maplewood Avenue

Addendum to the above:

I, Joanne M. Senos, Assistant City Clerk for the City of Gloucester, hereby certify that this decision is a true and accurate copy of the original decision, which decision is filed in the City Clerk's Office, and that 20 days has elapsed since the filing of such decision, and I further certify that no notice of appeal concerning this decision has been filed in said office. It is the obligation of the above named applicant to determine if an appeal has been filed with the courts.

Joanne M. Senos  
Joanne M. Senos, Assistant City Clerk

March 21, 2014  
Date

Seal:

**CITY OF GLOUCESTER  
BOARD OF APPEALS – THE ZONING ORDINANCE**

**Minutes**

**February 26, 2015**

**7:00 p.m.**

**Kyrourz Auditorium, City Hall**

**Board Members Present:**

James P. Movalli, Chairman

Francis S. Wright, Jr.

Michael C. Nimon

David B. Gardner

Absent:

Virginia Bergmann, Vice Chairman

Leonard A. Gyllenhaal

CITY CLERK  
GLOUCESTER, MA  
15 MAR 17 PM 1:53

Chairman opened the meeting.

Minutes of the February 12<sup>th</sup> meeting were accepted.

**Matter of Business:** Mr. Kirk Noyes is present re: Gloucester Development Team, Maplewood Avenue. Mr. Noyes explained the project is running out of time to be completed and he requests a six month extension. He stated the architect stopped work without providing any notice or reason. Another architect has been hired to complete the project.

**MOTION:** Chairman moved that we do accept this six (6) month extension.

**SECOND:** Mr. Wright. All in favor. Motion passed.

Mr. Wright agreed to notify Building Inspector, Bill Sanborn

**Eliha Jacobe, 10 Norman Avenue:** Attorney Robert J. Coakley is present representing petitioner and requests a continuance to the March 12<sup>th</sup> meeting.

**MOTION:** Chairman moved that we continue this to March 12<sup>th</sup>.

**SECOND:** Mr. Wright. All in favor. Motion passed.

**Steven P. Evangelista, Trustee, 122 Wheeler Street Realty Trust, 122 Wheeler Street:** Attorney Ralph C. Pino is present representing petitioner who is also present and explained the side and rear yard setbacks are nonconforming. He presented a petition signed by abutters in support of the proposal. He stated there is no view or adverse impact. The proposal will add space to the primary residence with three (3) bedrooms and a family room on the existing footprint. He also stated the neighborhood is nonconforming. Tim Thurman, architect, 6 Pooles Lane, Rockport, is also present and stated the height will be 7' higher.

Attorney Pino explained the nonconformity is not detrimental to the neighborhood and the abutters are in support. The proposal is not creating more traffic.

No one spoke in favor or in opposition.

**Vote of the Board:** Movalli, Wright, Nimon and Gardner voted in favor of the Special Permit. Petition passed.



**Theodore H. and Robin Dawn Smick, 273 Concord Street:** Attorney Ralph C. Pino is present representing petitioners. Chairman noted that one person telephoned him and had concerns of the height of the proposal.

Counsel explained this is a modest proposal with a height of 33'8" on 14.9 acres. The property has a Conservation easement. There is limited area to construct the house which must get to the level of the hill for sight. Views cannot be obstructed due to the trees and there is no overshadowing. The proposal is two feet lower in elevation. Brian Stein, architect, is also present and explained the proposal offers a modest front porch.

Counsel stated the proposal is impossible to overshadow and the proposed house is in keeping with the neighborhood.

No one spoke in favor or in opposition.

**Vote of the Board:** Wright, Nimon, Gardner and Movalli voted in favor of the Special Permit. Petition passed.

**Seaport Veterinary Hospital, 100 Eastern Avenue:** Nicola Bach is present representing Ray Cahill. She explained the petitioner wants to expand the building. The addition is 36' and 12' wide. The Building Inspector informed her that she does not need dimensional setbacks only for use. She stated the property abuts Wolfe Hill on one side and Dunkin' Donuts and wetlands on the other side.

No one was left in the audience to speak in favor or in opposition.

**Vote of the Board:** Nimon, Gardner, Movalli and Wright voted in favor of the Use-variance. Petition passed.

Chairman closed the hearing.

Meeting adjourned at 8:00 p.m.

Submitted by Marcia J. Jarvis, ZBA secretary

# Proposed Site Plan for Maplewood School Renovation City of Gloucester Scale 1"=10'-0"

J.S. Dugger, AIA & Associates  
January 15, 2009

## Zoning Table

	Required	Existing	Proposed	Difference
Min. Lot Area	10,000 Sq Ft	20,000 Sq Ft	No Change	+10,000 Sq Ft
Min. Lot Area per Unit	2,500 Sq Ft	20,000 Sq Ft	No Change	0
Min. Open Space per Unit	1,250 Sq Ft	10,000 Sq Ft	No Change	+8,750 Sq Ft
Min. Lot Width	80'	100'	No Change	+20'
Min. Frontage	65'	100'	No Change	+35'
Min. Front Yard	22.5'	32.5'	No Change	+10'
Front Yard Coverage	15%	1 @ 67% & 1 @ 15%	No Change	+2% & -50%
Min. Side Yard	15'	1 @ 15' & 1 @ 24'	No Change	0 & +9'
Min. Rear Yard	7.5'	Not Applicable	No Change	+15'
Max. Building Height	30'	45'	No Change	0
Max. Building Height	30'	45'	No Change	0
Max. Building Height	30'	45'	No Change	0

Note: Property has 2 front yards and 2 side yards & no rear yard.

## Parking Table

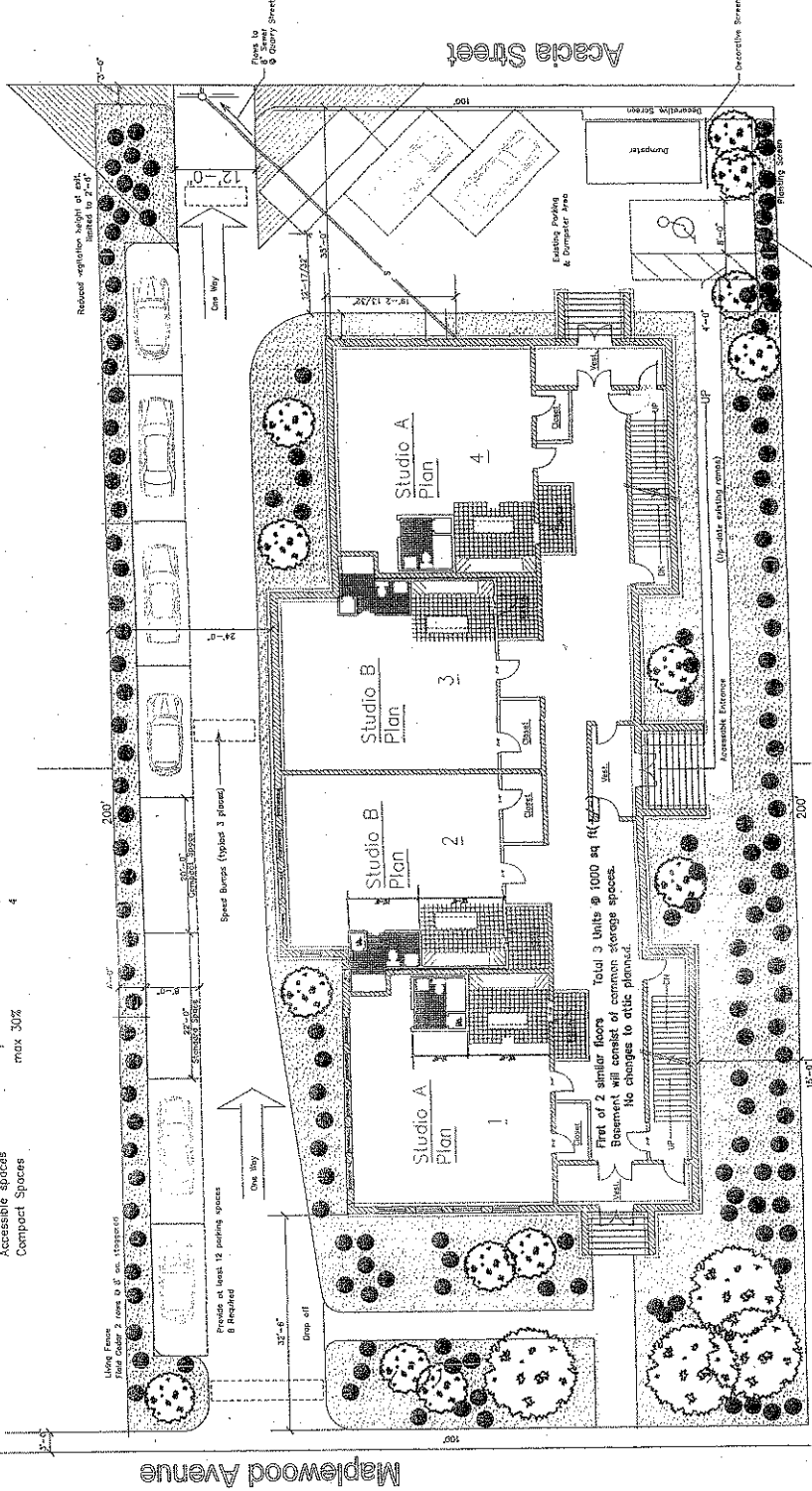
	Required	Existing	Proposed	Difference
Number of Spaces	1 per unit	1.5 per unit	No Change	+4
Accessible spaces	1	4	No Change	0
Compact spaces	max 30%	4	No Change	0

Note: Property has 2 front yards and 2 side yards & no rear yard.

## Designer's Note:

Existing Building is 15' taller than allowed, but still meets 15' height. Site is currently used for additional by using a dumpster. Design increases vegetated area by 80%.

Previously Approved Plan by  
ZBA and City Council  
2009 Decision No Longer Valid



ISSUED FOR PERMITTING  
NOT FOR CONSTRUCTION

- NOTES:
1. THE EXISTING FEATURES AND LAYOUT SHOWN ON THIS PLAN HAVE BEEN PREPARED BY J.S. DUGGER, AIA & ASSOCIATES AND PROVIDED TO BSC.
  2. THIS PLAN IS FOR PERMITTING PURPOSES ONLY.
  3. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO STANDARD SPECIFICATIONS & DETAILS OF THE CITY OF GLOUCESTER, MASSACHUSETTS, HIGHWAY DEPARTMENT, LATEST EDITION.
  4. ALL UNDERGROUND STRUCTURES AND UTILITIES ARE TO BE CAPABLE OF WITHSTANDING H20 WHEEL LOADS.
  5. ALL HANDICAP PARKING SPACES, WALKWAYS, AND PUBLIC BUILDING ENTRANCES ARE TO BE IN COMPLIANCE WITH THE CONSTRUCTION STANDARDS SET FORTH BY THE CITY OF GLOUCESTER, MASSACHUSETTS, AS WELL AS THE DEPARTMENT OF JUSTICE ADA STANDARDS FOR ACCESSIBLE DESIGN. LATEST EDITIONS SHALL BE USED.
  6. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF GLOUCESTER, MASSACHUSETTS, HIGHWAY DEPARTMENT, LATEST EDITION.
  7. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF GLOUCESTER, MASSACHUSETTS, HIGHWAY DEPARTMENT, LATEST EDITION.
  8. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF GLOUCESTER, MASSACHUSETTS, HIGHWAY DEPARTMENT, LATEST EDITION.
  9. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF GLOUCESTER, MASSACHUSETTS, HIGHWAY DEPARTMENT, LATEST EDITION.
  10. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF GLOUCESTER, MASSACHUSETTS, HIGHWAY DEPARTMENT, LATEST EDITION.



J.S. Dugger, AIA & Associates  
PROFESSIONAL ENGINEER  
DATE

MAPLEWOOD SCHOOL  
RENOVATION  
MAPLEWOOD AVENUE  
IN  
GLOUCESTER  
MASSACHUSETTS 01930  
(ESSEX COUNTY)

## SITE PLAN

JANUARY 30, 2009

NO.	DATE	DESC.
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

PREPARED FOR:  
J.S. Dugger, AIA & ASSOC.  
25 Grand Street  
Gloucester, MA 01930

BSC GROUP  
15 BIRCH STREET  
GLoucester, MA 01930  
02127  
617.856.4300

SCALE: 1" = 10'  
0' 5' 10' 15' 20' 25' 30'

FILE  
DWG. NO.  
JOB. NO.  
SHEET 1 OF 1

In Re:

09 AUG 07 10:51

Application of The City of Gloucester	)	
for 120 Maplewood Avenue,	)	DECISION OF THE CITY
for Change of Use to Multi-Family	)	COUNCIL OF THE
Pursuant to City of Gloucester Zoning Ordinance	)	CITY OF GLOUCESTER
Section 2.3.1 and Height Exception pursuant to	)	
Section 3.1.6(b)	)	

1. The City Council of the City of Gloucester, Massachusetts, constituting the Special Permit granting authority under the laws of the Commonwealth of Massachusetts and the Zoning Ordinance of the City of Gloucester, hereby adopts the following Findings and Decision with regard to the application of the City of Gloucester for a Special Council Permit as required by Sec. 2.3.1 and Sec. 3.1.6(b) of the City of Gloucester Zoning Ordinance for a conversion of a school into a multi-family dwelling located at 120 Maplewood Avenue, Gloucester, MA.

2. The City of Gloucester is the applicant and owner of the property which is located at 120 Maplewood Avenue, Map 39, Lot 4. The zoning district is R-5.

3. The application was filed with the City Clerk on or about June 4, 2009. It is incorporated herein by reference.

4. The application was referred to the City Council Planning & Development Committee. After proper advertising and notice, on July 22, 2009, the Committee held a meeting.

5. John Dugger, representing the City of Gloucester, presented the application. He explained that there is a long history of planning for the redevelopment of this property. It is a vacant school building which the City intends to sell as a pre-permitted 8 unit multi-family dwelling. The City has worked closely with the neighbors to reuse the building as opposed to tearing it down. It will stay in its original footprint, there is a well designed traffic flow with parking for 12 vehicles.

6. Several neighbors spoke in favor of the project.

7. William Sanborn, Building Inspector, explained that the Zoning Board of Appeals granted the necessary zoning relief for the project. The Board specifically required as a condition to the relief that any changes to the plans would have to be approved by the Board. The dumpsters will be screened, the outside mechanical units will be covered for sound screening and any outside lighting will comply with the residential neighborhood lighting regulations as set forth in the lighting ordinance.

8. Councilors Curcuro, George and Devlin spoke in favor of the project.

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*Janet P. White*

9. Councilor Hardy stated that the application meets the criteria set out in Section 1.8.3 of the Gloucester Zoning Ordinance.

10. Motion: On motion of Councilor Hardy, seconded by Councilor George, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council the granting of a SCP for an 8 unit, multi-family, residential dwelling at 120 Maplewood Avenue, owner City of Gloucester, as shown on Assessors Map 39, Lot 4, zoning classification High Density Residential (R-5), pursuant to Section 2.3.1(8) of the Gloucester Zoning Ordinance with the following Conditions:

1. That the property be entered only from Maplewood Avenue side of the property and exited only from the Acacia Street side of property for all vehicular parking and deliveries.
2. That the dumpster be continuously maintained and visually screened from all abutters year round by either decorative cover or evergreen foliage by any and all subsequent owners of the building.
3. That outside mechanical units, including but not limited to air conditioners and compressors, be sound screened so as to comply with the noise ordinances of the City of Gloucester.
4. That a City of Gloucester master Fire Alarm Box be installed on the building to service the building at the initial expense of the developer and future maintenance expense of the owners.

11. Councilor Hardy inquired as to whether a height exception would be needed. Mr. Sanborn stated that a building height exception would be required due to change of use. He stated that this would not fall within the ZBA's jurisdiction since it was more than 35 feet in height. He requested that a height exception be considered at the City Council public hearing.

12. Motion: On motion of Councilor Hardy, seconded by Councilor George, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council the granting of a SCP for a maximum building height exception of 15 feet, zero inches – building not to exceed 45 feet in height for the 8 unit residential unit at 120 Maplewood Avenue, owner City of Gloucester, as shown on Assessors Map 30, Lot 4, zoning classification High Density Residential (R-5) pursuant to Section 3.1.6(b) of the Gloucester Zoning Ordinance.

13. On August 11, 2009, after proper advertising and notice, the City Council held a public hearing.

14. John Dugger presented the application. He explained that the City wanted to permit the Maplewood School building as an 8 unit multi-family project prior to offering the property for sale. He noted that the neighbors were involved in the planning process and support the project. He reviewed the special permit criteria and submitted that the project complied with all of the criteria. He explained that the building was in keeping

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*Emil C. [Signature]*

with the residential nature of the neighborhood and that the project would provide an economic benefit to the City as it would be generate tax dollars. The Zoning Board of Appeals has granted the necessary relief for the reuse of the building.

Two neighbors, Gardner Estes, 9 Acacia Street, and John Christopher, 122 Maplewood Avenue, spoke in favor of the project.

No one spoke in opposition.

The public hearing was closed.

Councilor Hardy stated that the application meets the criteria as set forth in Section 1.8.3 of the Zoning Ordinance and that the proposed use will be in harmony with the general purpose and intent of the Ordinance and that it will not adversely affect the neighborhood, the zoning district or the City to an extent as to outweigh the beneficial effects of said use.

Further that the six special permit factors of Zoning Ordinance Sec. 1.4.2.2(e) are met as follows:

1. The social, economic and community needs will be served by the proposed use;
2. The natural environment will be improved by the development of this property. The neighborhood is already thickly settled and the proposed 8 unit residential permit is in keeping with the neighborhood;
3. Traffic flow and safety have been addressed and will be improved because the plans allow for parking of 12 cars on site which will take 12 cars off the surrounding street. Traffic flow to the property will be by entrance only from Maplewood Avenue with exist only from Acacia Street;
4. Utilities and other public services do not appear to be impacted negatively due to the proposed use;
5. The neighborhood character and social structure is residential in nature and in keeping with the neighborhood;
6. Fiscal impact should prove to be positive in that this proposal will put residential property on the tax rolls and remove from tax-exempt status.

Councilor Hardy submitted the Planning and Development Committee's unanimous recommendation in favor of granting the special permit with conditions to the full City Council. The Committee's unanimous decision recommending the granting of a height exception of 24 feet was also noted.

On the basis of the foregoing the Council voted as follows:

MOTION: On motion of Councilor Hardy, seconded by Councilor George, the City Council voted by ROLL CALL 9 IN FAVOR (Tobey, Romeo, Hardy, Ciolino, George, Grow, Foote, Curcuru, Devlin), 0 OPPOSED, to grant a SCP for an 8 unit, multi family, residential dwelling at 120 Maplewood Avenue, owner City of Gloucester, as shown on

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Assessors Map 39, Lot 4, Zoning Classification High Density Residential (R5), pursuant to Section 2.3.1 (8) of the Gloucester Zoning Ordinance with the following conditions:

1. That the property be entered only from Maplewood Avenue side of the property and exited only from the Acacia Street side of property for all vehicular parking and deliveries.
2. That the dumpster be continuously maintained and visually screened from all abutters year round by either decorative cover or evergreen foliage by any and all subsequent owners of the building.
3. That outside mechanical units, including but not limited to air conditioners and compressors, be sound screened so as to comply with the noise ordinances of the City of Gloucester.
4. That a City of Gloucester master Fire Alarm Box be installed on the building to service the building at the initial expense of the developer and future maintenance expense of the owners.
5. The proposed residential reuse of the Maplewood School, in the form of an eight (8) unit multifamily project, shall provide one on-site deed restricted affordable unit in accordance with the Inclusionary Housing Requirements of Section 5.11 of the Gloucester Zoning Ordinance.

MOTION: On motion of Councilor Hardy, seconded by Councilor Romeo Theken, the City Council voted by ROLL CALL 9 IN FAVOR (Tobey, Romeo, Hardy, Ciolino, George, Grow, Foote, Curcuru, Devlin) 0 OPPOSED to grant a SCP for a Maximum building height exception of 24 feet, 0 inches, building not to exceed the existing height of 54 feet for the eight unit residential unit at 120 Maplewood Avenue, owner City of Gloucester, as shown on Assessors Map 39, Lot 4, Zoning Classification High Density Residential (R5) pursuant to Section 3.1.6(b) of the Gloucester Zoning Ordinance.

In addition to the above-referenced special conditions, the following general conditions shall also apply:

1. In granting this special permit, the City Council has relied upon the oral and written representations made by the applicant in documents submitted in support of its application and in its appearances at committee meetings and the public hearing on the application. Any failure by the applicant to honor any material representations made to the City Councilor shall constitute just cause for revocation of this special permit in accordance with Section 1.4.2.2(f) of the Zoning Ordinance.
2. The Applicant/Owners are required to provide documentary evidence to the City Council proving that all conditions specified in the City Council permit have been complied with, at which time the City Council will issue a "Certification of Conditions Complete" as required by Rule 25, Part II, 5(i) City Council Zoning Rules of Procedure. The term "applicant/owner" includes any condominium association created subsequent to this Decision.

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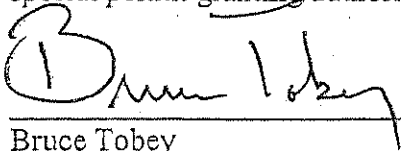
Anna F. Lowe

3. The minutes of the Planning and Development Committee meetings of July 22, 2009 and the August 11, 2009 City Council public hearing and all documents and testimony received during the hearing are incorporated into this Decision. All construction and use of the property must comply with the plans submitted with this permit application. Any changes which are not contemplated by this Permit will require either a new special permit or an amendment hereto.
4. Each finding, term and condition of this decision is intended to be severable. Any invalidity in any finding, term or condition of this decision shall not be held to invalidate any other finding, term or condition of this decision.
5. This permit shall not take effect until notice is filed with the Registry of Deeds for Essex County by the recording of a copy of the decision. The fee for such notice shall be paid by the owner. Prior to the recording of the decision with the Registry of Deeds, the petitioner shall have the seal of the City affixed to same.

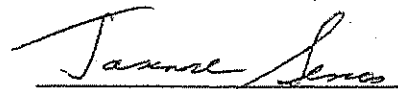
Accordingly, by said City Council Vote of August 11, 2009, the Section 2.3.1 and Section 3.1.6(b) Special Council Permit is granted.

Decision adopted in City Council meeting of August 25, 2009.

Pursuant to Rule 25 of the City Council Rules of Procedure, in this instance, the President of the City Council and the City Clerk have signed this decision demonstrating that it is a true and accurate reflection of the August 11, 2009 vote of the City Council sitting as the special permit granting authority.

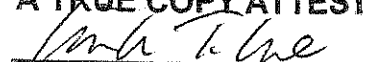


Bruce Tobey  
President, Gloucester City Council



Joanne Senos  
Acting City Clerk

Dated: August 25, 2009

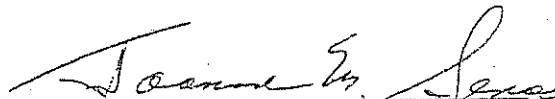
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## RIGHT OF APPEAL

This decision may be appealed pursuant to General Laws, Chapter 40A, Section 17, to the Superior Court of Essex County or the District Court of Eastern Essex by bringing an action within twenty days after this decision has been filed in the Office of the City Clerk.

## CERTIFICATE OF NOTICE

I hereby certify that notice of this decision was mailed forthwith to the applicant, to the parties in interest designated in G.L. Ch. 40A, Section 11, and to every person present at the hearing who requested that notice be sent to him and stated the address to which notice should be sent on this date.



Joanne M. Senos, Interim City Clerk

## CERTIFICATE OF LAPSE OF APPEAL

I hereby certify that twenty (20) days have elapsed from the date of the filing of this decision with the Office of the City Clerk and that no appeal has been filed with said office.

Date: \_\_\_\_\_

\_\_\_\_\_  
Joanne M. Senos, Interim City Clerk

## APPEAL FILED

Date of Filing: \_\_\_\_\_

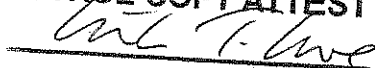
\_\_\_\_\_  
Joanne M. Senos, Interim City Clerk

## APPEAL DISMISSED

I hereby certify that an appeal of this decision was filed in Essex Superior Court, Civil Action #\_\_\_\_\_. The Appeal was dismissed with prejudice by agreement of the parties on \_\_\_\_\_.

\_\_\_\_\_  
Joanne M. Senos, Assistant City Clerk

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**City of Gloucester  
Office of the City Clerk  
9 Dale Avenue  
Gloucester, Massachusetts 01930**

**Office (978) 281-9720 Fax (978) 282-3051**

**Office Hours: Monday, Tuesday, and Wednesday 8:30 AM to 4:00 PM  
Thursday 8:30 AM to 6:30 PM  
Fridays (Memorial Day to Labor Day [Summer Hours]) 8:30 AM to 12:30 PM  
Fridays (Labor Day to Memorial Day [Winter Hours]) 8:30 AM to 4:00 PM**

## Attachment to Board of Appeals

City of Gloucester  
c/o Mike Hale  
DPW, Pond Road

Gloucester, Massachusetts 01930

Map 39, Lot 4 Locus (if different from above): 120 Maplewood Avenue

Addendum to the above:

I, Joanne M. Senos, Assistant City Clerk for the City of Gloucester, hereby certify that this decision is a true and accurate copy of the original decision, which decision is filed in the City Clerk's Office, and that 20 days has elapsed since the filing of such decision, and I further certify that no notice of appeal concerning this decision has been filed in said office.

**A TRUE COPY ATTEST**

*Anna P. Bone*

*Joanne M. Senos*

Joanne M. Senos, Assistant City Clerk

May 28, 2009

Date

Seal:



# CITY OF GLOUCESTER

## ZONING BOARD OF APPEALS

March 26, 2009

APR 1 2009  
11:10:16

**ZBA CASE NUMBER:** 2009 -

**PETITIONER:** CITY OF GLOUCESTER, c/o Mike Hale, Department of Public Works, Pond Road, Gloucester, MA.

**LOCUS (hereinafter, the "Site"):** 120 MAPLEWOOD AVENUE (Assessors Map 39, Lot 4)

**RELIEF REQUESTED:**

1. Special permit to alter a non-conforming structure (Sections 1.9 and 2.4 of the Zoning Ordinance)
2. Special permit to allow decrease in minimum open space per dwelling unit (Sections 1.10.1[a] [4] and 3.2.2, footnote (a) of the Zoning Ordinance)
3. Special permit to allow building height in excess of 35 feet (Sections 1.10.1[a] [1] and 3.1.6 of the Zoning Ordinance)
4. Variance to reduce vegetative cover requirements (Sections 1.7 and 3.2.2, footnote (b) of the Zoning Ordinance)
5. Variance to allow vehicle parking within the front yard setback (Sections 1.7 and 4.1.4(a)(2) of the Zoning Ordinance)

**PURPOSE OF PETITION:** to enable petitioner to apply to City Council for a multifamily special permit

**HEARING DATE, TIME AND PLACE:**

as advertised, March 26, 2009; 7:00 PM; Gloucester City Hall, Dale Avenue, Gloucester, Massachusetts.

**BOARD MEMBERS PRESENT AND VOTING ON THE PETITION:**

JAMES P. MOVALLI, CHAIRMAN  
VIRGINIA BERGMANN  
ROBERT G. STEWART  
FRANCIS S. WRIGHT  
STEPHEN REYNOLDS

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*[Signature]*

**ZONING DISTRICT:** R-5 (High Density Residential)

**PETITIONERS REPRESENTED BY:** John Dugger, 25 Beach Road, Gloucester

**APPEARING IN SUPPORT OF THE PETITION:** Stephen Curcuru, Ward Councilor; Gard Estes, 9 Acacia Street; Stephen Goldin, 14 Hodgkins Street; John Christopher, 122 Maplewood Avenue

**APPEARING IN OPPOSITION TO THE PETITION:** no one

**PLANS, ELEVATIONS, ETC. SUBMITTED IN SUPPORT OF THE PETITION :**

Site plan dated January 30, 2009, prepared by BSC Group, Inc., and entitled "Maplewood School Renovation" (hereinafter, the "Site Plan")

**SITE VISIT PHOTOGRAPHS?:** Yes

**PHOTOGRAPHS BY OTHERS:** No

**OTHER LETTERS, REPORTS, DOCUMENTS, ETC. SUBMITTED IN SUPPORT OF THE PROJECT:** None

**OTHER LETTERS, REPORTS, DOCUMENTS, ETC. SUBMITTED IN OPPOSITION TO THE PROJECT:** None

**FACTUAL FINDINGS OF THE BOARD:**

Based on the Project Plans, the testimony of the petitioner's representative John Dugger, and site visits by individual Board members, the Board finds that:

1. The City of Gloucester has been trying for some time to sell off the decommissioned Maplewood School, so that the building might be redeveloped. Earlier attempts, all involving proposed conversion of the school to residential units, faltered either because of neighborhood opposition or problems with financing the conversion, or both.
2. To resolve the impasse, the city concluded that the project would have to be scaled back, and that the city would have to work cooperatively with the neighbors and seek the necessary permits itself; in this manner, the fully permitted building could be put back on the market with neighborhood sentiment more or less placated and the financial uncertainty related to permitting eliminated.
3. To allay neighborhood concerns with respect to traffic, noise and population density, the project has been scaled back significantly, to eight residential units. To allay concerns with respect to parking, 12 on-site parking spaces have been provided, four more than required by the Zoning Ordinance. To allay concerns with respect to the illicit use of the parking lot as a shortcut between Maplewood Avenue and Acacia Street, the parking lot plans call for speed bumps.
4. Two neighbors and the ward councilor spoke in favor of the project, and appeared to be speaking on behalf of the neighborhood at large. Their message can be paraphrased as follows: "At some point the school building will have to be redeveloped. This proposal is not everything we wanted, but it's the best that can be reasonably expected."
5. The footprint of the building will remain essentially the same; its height will not be increased. The only major exterior changes will be to the present playground, which will be landscaped as shown on the Site Plan, and portions of which will be paved to accommodate 12 vehicles, as shown on the plan.

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**STANDARD TO BE APPLIED BY THE BOARD:**

**1. Special permit to alter a non-conforming structure (Sections 1.9 and 2.4 of the Zoning Ordinance)**

Pursuant to Section 1.9.2 of the Zoning Ordinance, the Board may issue a Special Permit to alter or expand a non-conforming structure only if it finds, upon consideration of all the evidence, that the proposed structure will not be substantially more detrimental to the neighborhood than the existing structure.

**2. Special permit to allow decrease in minimum open space per dwelling unit (Sections 1.10.1[a] [4] and 3.2.2, footnote (a) of the Zoning Ordinance)**

This permit must be obtained from City Council and thus will not be addressed in this decision.

**3. Special permit to allow building height in excess of 35 feet (Sections 1.10.1[a] [1] and 3.1.6 of the Zoning Ordinance)**

This permit must be obtained from City Council and thus will not be addressed in this decision.

**4. Variance to reduce vegetative cover requirements (Sections 1.7 and 3.2.2, footnote (b) of the Zoning Ordinance)**

Pursuant to Section 1.7.2 of the Zoning Ordinance, in considering whether to grant a variance the Board must find that literal enforcement of the provisions of the ordinance would involve substantial hardship, financial or otherwise, to petitioners. Furthermore, the Board must make two additional findings:

1. that the hardship arises from circumstances relating to the soil conditions, shape or topography of the land or structure(s) in question, which circumstances particularly affect such land or structure(s) but which do not generally affect the zoning district in which they are located; and
2. that the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance

**5. Variance to allow vehicular parking within the front yard setback (Sections 1.7 and 4.1.4(a)(2) of the Zoning Ordinance)**

The standard to be applied for this variance is the same as for that of the above-referenced dimensional variances.

**DECISION OF THE BOARD:**

**1. Special permit to alter a non-conforming structure (Sections 1.9 and 2.4 of the Zoning Ordinance)**

The Maplewood School building has been empty for many years, and for some time has been showing signs of this neglect; it is imperative that some decision with respect to its future be made soon. The city has made a great effort to address neighborhood concerns, and has scaled back the original proposal significantly. The city's proposal will add eight modest residential units to its inadequate housing

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inventory, but at the same time will not appreciably degrade the quality of life in the neighborhood. Traffic into and out of the Site will be controlled, and the provision of excess on-site parking spaces means that on-street parking spaces, already in short supply, will not be significantly taxed by the building's inhabitants. For these reasons, and in light of the neighbors' support, the Board finds that the Maplewood School building, when converted to eight residential units, will not be substantially more detrimental to the neighborhood than the existing dilapidated building.

**BASED ON THESE FINDINGS, AND SUBJECT TO THE GENERAL AND SPECIAL CONDITIONS SET FORTH BELOW, THE BOARD GRANTS PETITIONER A SPECIAL PERMIT TO ALTER AN EXISTING NON-CONFORMING BUILDING**

**2. Special permit to allow decrease in minimum open space per dwelling unit (Sections 1.10.1[a] [4] and 3.2.2, footnote (a) of the Zoning Ordinance)**

As noted above, this permit must be obtained from City Council and thus will not be addressed in this decision.

**3. Special permit to allow building height in excess of 35 feet (Sections 1.10.1[a] [1] and 3.1.6 of the Zoning Ordinance)**

As noted above, this permit must be obtained from City Council and thus will not be addressed in this decision.

**4. Variance to reduce vegetative cover requirements (Sections 1.7 and 3.2.2, footnote (b) of the Zoning Ordinance)**

The Site is unique, in that it fronts on two parallel streets. Thus it has two front yards, one of which in most cases would be a back yard. The Site's main frontage is on Maplewood Avenue, and when the school operated it was part of the paved playground. According to the Site Plan, its vegetative cover will thus go from close to zero to 67%, two percentage points higher than what the ordinance requires. Furthermore, the front yard will be landscaped, and will feature a number of large and medium sized trees, as well as bushes. The side yards will be similarly landscaped with shrubbery, to provide a visual screen. However, in order to provide the number of on-site parking spaces the city has committed to, vegetation on the Acacia Street yard will have to be limited to 15%.

The Board finds that literal enforcement of the applicable provisions of the Zoning Ordinance would involve substantial hardship to petitioner (and the neighborhood, for that matter), in that the desired number of off-street parking spaces can only be provided by sacrificing vegetative cover. Given the size of the building and the Site, there is simply not enough space to provide both vegetative cover and the number of off-street parking spaces sought by the neighbors. Thus the hardship arises from circumstances relating to the size of the existing building and existing lot, and the fact that the Site is burdened by having two front yards. These circumstances particularly affect the school building and its lot, but do not generally affect the zoning district in which they are located. In short, if the building is to be converted to residential units, zoning relief must be granted. The Board also finds that the desired relief can be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance.

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**SUBJECT TO THE GENERAL AND SPECIAL CONDITIONS SET FORTH BELOW, THE BOARD HEREBY GRANTS THE FOLLOWING DIMENSIONAL RELIEF:**

<b>DIMENSIONAL REQUIREMENT</b>	<b>REQUIRED</b>	<b>PROPOSED</b>	<b>VARIANCE GRANTED</b>
<b>Front Yard Vegetative Cover (Acacia Street)</b>	<b>65 %</b>	<b>15 %</b>	<b>50%</b>

**5. Variance to allow vehicular parking within the front yard setback (Sections 1.7 and 4.1.4(a)(2) of the Zoning Ordinance)**

Once again, the problem lies with the Acacia Street front yard, which under ordinary circumstances would be a back yard, opposite the Maplewood Avenue front yard. The city has attempted to accommodate neighborhood concerns by providing more than the minimum number of parking spaces, and there is no alternative but to locate them in the Acacia Street yard. The city, it should be noted, has sought to alleviate the situation by providing shrubbery shielding along both sides of the Acacia Street yard,

For the reasons set forth in the preceding section, the Board concludes that the criteria for granting a variance have been satisfied.

**SUBJECT TO THE GENERAL AND SPECIAL CONDITIONS SET FORTH BELOW, THE BOARD HEREBY GRANTS A VARIANCE FROM THE REQUIREMENT THAT THERE BE NO ACCESSORY OFF-STREET PARKING SPACES IN THE FRONT YARD OF ANY LOT IN A RESIDENTIAL DISTRICT**

**GENERAL CONDITIONS:**

1. All work authorized by this decision shall be in accordance with the above-referenced Site Plan, which has been stamped and endorsed by the Board Chairman and which, for the present at least, is the sole plan of record in this matter. Any unauthorized deviation from the Site Plan shall result in automatic revocation of this special permit and the variances, and shall subject petitioner or its successor in interest to all available remedies at law.
2. This decision shall not take effect until notice thereof is filed in the Registry of Deeds of Essex County. The fee for filing such notice shall be paid by petitioners. Prior to filing this decision with the Registry of Deeds, petitioners shall have the Seal of the City affixed to same.

**SPECIAL CONDITIONS:**


1. As agreed to by the petitioner, the imbedded Maplewood School sign over the front door shall not be removed, and shall be suitably maintained by subsequent owners of the building

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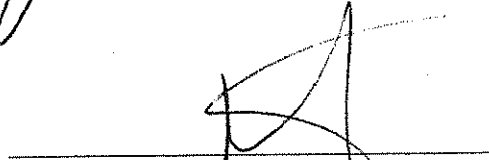


**VOTE OF THE BOARD**


In favor:

  
JAMES P. MOVALLI, CHAIRMAN

  
VIRGINIA BERGMANN

  
ROBERT G. STEWART

  
FRANCIS S. WRIGHT

  
STEPHEN REYNOLDS

**A TRUE COPY ATTEST**

  
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Opposed: NONE

## RIGHT OF APPEAL

This decision may be appealed pursuant to General Laws, Chapter 40A, Section 17, to the Superior Court of Essex County or the District Court of Eastern Essex by bringing an action within twenty days after this decision has been filed in the Office of the City Clerk.

## CERTIFICATE OF NOTICE

I hereby certify that notice of this decision was mailed forthwith to the applicant, to the parties in interest designated in G.L. Ch. 40A, Section 11, and to every person present at the hearing who requested that notice be sent to him and stated the address to which notice should be sent on this date.

\_\_\_\_\_  
Linda T. Lowe, City Clerk

## CERTIFICATE OF LAPSE OF APPEAL

I hereby certify that twenty (20) days have elapsed from the date of the filing of this decision with the Office of the City Clerk and that no appeal has been filed with said office. *120 Maplewood Ave. Gloucester*

Date: 10/23/13

*Linda T. Lowe*  
\_\_\_\_\_  
Linda T. Lowe, City Clerk

## APPEAL FILED

Date of Filing: \_\_\_\_\_

\_\_\_\_\_  
Linda T. Lowe, City Clerk

## APPEAL DISMISSED

I hereby certify that an appeal of this decision was filed in Essex Superior Court, Civil Action # \_\_\_\_\_. The Appeal was dismissed with prejudice by agreement of the parties on \_\_\_\_\_.

\_\_\_\_\_  
Linda T. Lowe, City Clerk

13 OCT 23 AM 10:01  
CITY CLERK  
GLOUCESTER, MA

A TRUE COPY ATTEST

*Linda T. Lowe*  
\_\_\_\_\_

Seal